

**GERARD C. DECUSATIS**

ATTORNEY AND COUNSELOR AT LAW

178 CLIZBE AVENUE  
AMSTERDAM, NEW YORK 12010

PHONE (518) 842-1414  
FACSIMILE (518) 842-5802

July 22, 2016

Dean S. Sommer, Esq.  
Young/Sommer LLC  
Executive Woods  
5 Palisades Drive  
Albany, New York 12205

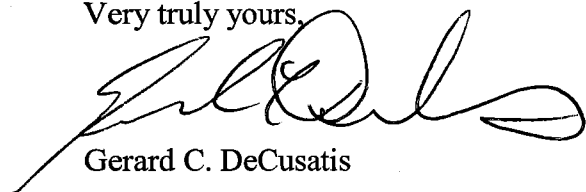
**RE: FREEDOM OF INFORMATION REQUEST dated June 7, 2016**

Dear Attorney Sommer:

Enclosed please find the documents you requested as indicated on the enclosed list..

If you have any questions please contact me.

Very truly yours,



Gerard C. DeCusatis

GCD/mcd

Enc.

cc: Hon. Francis Avery, Mayor

**RECEIVED**

JUL 25 2016

YOUNG, SOMMER LLC

Village of Canajoharie FOIL response:

In response to question 2:

1. Application for a Building Permit, by Todd Clifford, dated 12/03/13, 4 pages
2. Building Permit, to Todd Clifford, dated 12/06/13, 1 page
3. Building Permit, to Todd Clifford, dated 01/30/14, 1 page
4. Demolition Permit Renewal, to Todd Clifford, dated 08/30/14, 1 page

In response to question 3:

5. Part 56 of Title 12 of the Official Compilation Codes, Rules and Regulations of the State of New York, by Jeffrey Wendel, dated 02/01/14, 1 page

In response to question 4:

6. Email from CGK Environmental Services to Lou Carrock, by CGK Environmental Services, dated 03/12/15, 1 page
7. Email from Bill King to Todd Clifford, CGK Environmental Services, and [demospecialist@hotmail.com](mailto:demospecialist@hotmail.com), by Bill King, dated 12/21/14, 1 page
8. Email from Lou Carrock to CGK Environmental Services, by Lou Carrock, dated 12/03/14, 1 page
9. Email from CGK Environmental to Lou Carrock, by CGK Environmental, dated 12/03/14, 2 pages

In response to question 7:

10. Pre-Demolition Building Survey for Asbestos for 68 Church Street Canajoharie, NY, by Churchill Environmental Inc., dated 02/22/14, 25 pages

In response to question 9:

11. Limited Asbestos Bulk Sampling & Analysis Report, by Asbestos & Environmental Consulting Corporation (AECC), dated 07/02/14, 28 Pages
12. State of New York Department of Labor Division of Safety and Health Decision for AECC, by Edward A Smith, dated 06/06/14, 13 pages

In response to question 12:

13. Certificate of Liability Insurance, to Infinity Enterprises, dated 07/29/14, 12 pages

In response to question 13:

14. Letter from AEC to NYS DOL re: Site Specific Variance Petition: 14-0590Amend Form Beech Nut Facility, dated 9/29/14, 2 pages
15. Letter from AEC to TD Development, dated 10/31/14, 1 page

16. Letter from AEC to TD Development, 9/29/18, 1 page
17. Letter from AEC to NYS DOL, dated 9/29/14, 2 pages

In response to question 14

18. Building Permit Application and other related documents re B&B Recycling, 14 pages
19. letter from Spectrum to B&B, dated 3/9/15, 8 pages
20. letter from Spectrum to B&B, dated 3/13/15, 1 page
21. letter from Spectrum to B&B, dated 3/16/15, 6 pages

In response to question 18 and 5:

22. email from EPA to Village of Canajoharie, 5/20/16, pages 14

Totaling 140 pages.

# VILLAGE OF CANAJOHARIE

Office of Code Enforcement

75 Erie Boulevard (518) 673-5516

## Application for a Building Permit

Permit No:

3013

63.14-1-9.1

### INSTRUCTIONS

- A. Please read and complete all sections of application.
- B. BUILDING PERMIT WILL NOT BE ISSUED UNTIL FEE IS REMITTED
- C. The Code Enforcement Office shall act upon all applications within a reasonable amount of time. Notice of refusal shall be given to the applicant/owner in writing and will state the reason(s) for denial
- D. Provide a certified survey map, showing lot lines and buildings on the premises (if applicable to request). Provide a detailed sketch of proposed construction as will appear on parcel. AFTER PERMIT HAS BEEN ISSUED, ANY MODIFICATIONS, ALTERATIONS OR ADDITIONS TO PLANNED PROJECT SHALL BE FORWARDED TO THE CODE ENFORCEMENT OFFICE PRIOR TO IMPLEMENTATION OF THE CHANGE, FOR REVIEW BY THIS OFFICE.
- E. Plans and specifications shall be in accordance with State Education Law, Sections 7307 and 7209. This law requires that the seal and signature of a licensed architect or professional engineer be affixed to all plans except farm buildings, residential buildings of less than 1500 sq. ft. or to alterations costing less than twenty thousand dollars. (The applicant may request that the requirement of plans and specifications be waived where the work being done involves minor alterations or are otherwise unnecessary.)
- F. No work shall commence until such time that the Code Enforcement Office has issued a building permit. Such permit shall be displayed on the premises throughout the project. Permits shall be valid for six (6) months from date of issuance.
- G. No new building, described under this permit application, or any part of, shall be used or occupied, until the Code Enforcement Office has issued a Certificate of Occupancy or Certificate of Compliance.

DEMOLITION

APPLICATION IS HEREBY MADE to the Village of Canajoharie Code Enforcement Office for the issuance of a building permit pursuant to the New York State Fire Prevention and Building Code for the construction of buildings, additions, or alterations or for removal or demolition, as herein described. The applicant agrees to comply with all applicable laws, ordinances and regulations. The applicant further agrees that any certified building inspector, or any officer or employee of the Village of Canajoharie Code Enforcement Department, shall be permitted to enter upon any building, structure or premises for which a building permit application has been filed, or a building permit has been issued without interference, and upon reasonable notice and during reasonable working hours.

Todd Clifford  
Please print name

(518) 266-6414  
Applicant phone number

Signature of Applicant

68 Church St.  
Address of proposed work

720 Meadowview Ct Mason, OH 45040  
Address of Applicant

State of New York

County of Montgomery ) SS:

On this, the 3rd day of Dec., 2013, before me a notary public, the undersigned officer, personally appeared Todd Clifford, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

Gail S. Coppernol  
GAIL S. COPPERNOL  
Notary Public, State of NY  
Qualified in Montgomery  
No. 01CO50701.  
My Commission Expires Dec.

(CHECK ALL that apply)

**ADDITION**   ☐ Bath   ☐ Kitchen   ☐ \_\_\_\_\_ Room   ☐ Garage  
☐ Barn   ☐ Deck   ☐ Porch   ☐ Other \_\_\_\_\_ Size \_\_\_\_\_

**ALTERATION**   ☐ Bath   ☐ Kitchen   ☐ Basement   ☐ Garage  
☐ Deck   ☐ Porch   ☐ Other \_\_\_\_\_ Size \_\_\_\_\_

**1. FOUNDATION:** Footing - Size \_\_\_\_\_ Concrete Strength \_\_\_\_\_  
Reinforcing \_\_\_\_\_

**2. FOUNDATION WALL:** Concrete \_\_\_\_\_ Size \_\_\_\_\_ Block Size \_\_\_\_\_  
Other Concrete Work: Floor \_\_\_\_\_ Sidewalk \_\_\_\_\_  
Other \_\_\_\_\_ Reinforcing \_\_\_\_\_

**3. FRAMING:**  
Outside Wall: Studs \_\_\_\_\_ Sheathing \_\_\_\_\_  
Inside Wall: Studs \_\_\_\_\_  
1<sup>st</sup> Floor Joist \_\_\_\_\_ Subflooring \_\_\_\_\_  
2<sup>nd</sup> Floor Joist \_\_\_\_\_ Subflooring \_\_\_\_\_  
Ceiling Joist \_\_\_\_\_  
Rafters \_\_\_\_\_ Truss \_\_\_\_\_ Sheathing \_\_\_\_\_  
Treated Poles \_\_\_\_\_ Size \_\_\_\_\_

**4. INSULATION:**  
Foundation \_\_\_\_\_ 1<sup>st</sup> Floor \_\_\_\_\_  
1<sup>st</sup> Floor \_\_\_\_\_ Sidewalls \_\_\_\_\_ Ceiling at Roof \_\_\_\_\_  
Other \_\_\_\_\_

(attach additional sheets as necessary).

Demolishing 220,000 SQFT of Warehouse  
of OLD Beechnut Plt Warehouse.

SCHEDULE OF FEES: Construction

Cost of Construction	Fee	Cost of Construction	Fee
\$0.00 - \$1,000.00	\$25.00	\$4,001.00 - \$5,000.00	\$37.00
\$1,001.00 - \$2,000.00	\$28.00	\$5,001.00 - \$6,000.00	\$40.00
\$2,001.00 - \$3,000.00	\$31.00	\$6,001.00 - \$7,000.00	\$43.00
\$3,001.00 - \$4,000.00	\$34.00	\$7,001.00 - \$8,000.00	\$46.00

Price per thousand of construction shall increment by \$3.00 per thousand

SCHEDULE OF FEES: Demolition

Minimum Fee: \$25.00 or \$.02 per square foot of building to be demolished, whichever is greater.

220,000 X .02 = \$4,400.00  
Twc 477,000 X .02 = \$9,540

The general municipal law is amended by adding a new section 125 to read as follows:

- § 125. ISSUANCE OF A BUILDING PERMIT. NO CITY, TOWN OR VILLAGE SHALL ISSUE A BUILDING PERMIT WITHOUT OBTAINING FROM THE PERMIT APPLICANT EITHER:
1. PROOF DULY SUBSCRIBED THAT WORKERS' COMPENSATION INSURANCE AND DISABILITY BENEFITS COVERAGE ISSUED BY AN INSURANCE CARRIER IN A FORM SATISFACTORY TO THE CHAIR OF THE WORKERS' COMPENSATION BOARD AS PROVIDED FOR IN SECTION FIFTY-SEVEN OF THE WORKERS' COMPENSATION LAW IS EFFECTIVE; OR
  2. AN AFFIDAVIT THAT SUCH PERMIT APPLICANT HAS NOT ENGAGED AN EMPLOYER OR ANY EMPLOYEES AS THOSE TERMS ARE DEFINED IN SECTION TWO OF THE WORKERS' COMPENSATION LAW TO PERFORM WORK RELATING TO SUCH BUILDING PERMIT.

#### Implementing Section 125 of the General Municipal Law

##### 1. General Contractors and Business Owners

For businesses listed as the general contractors on building permits, proof that they are in compliance with Section 57 of the Workers' Compensation Law (WCL) is ONE of the following forms that indicate that they are:

- Insured (C-105.2 or U-26.3),
- Self-insured (SI-12), or
- Are exempt (C-105.21);

Under the mandatory coverage provisions of the WCL, Any residence that is not a 1, 2, 3 or 4 Family, Owner-occupied Residence is considered a business (income or potential income property) and must provide compliance by filling one of the above forms.

##### Owner-occupied Residences

For homeowners of a 1, 2, 3 or 4 Family, Owner-occupied Residence, proof of their exemption from the mandatory coverage provisions of the Workers' Compensation Law when applying for a building permit is to file form BP-1 (3/99).

Form BP-1 (3/99) shall be filed if the homeowner of a 1, 2, 3 or 4 Family, Owner occupied residence is listed as the general contractor on the building permit, and the homeowner:

- is performing all the work for which the building permit was issued him/herself
- Is not hiring, paying or compensating in any way, the individuals(s) that is (are) performing all the work for which the building permit was issued or helping the homeowner perform such work, or
- Has a homeowner's insurance policy that is currently in effect and covers the property for which the building permit was issued AND the homeowner is hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for the work for which building permit was issued.

If the homeowner of a 1, 2, 3 or 4 Family, Owner-occupied residence is hiring or paying individuals a total of 40 hours or MORE in any work week (aggregate hours for all paid individuals on the jobsite) for the work for which the building permit was issued, then the homeowner may not file the "Affidavit of Exemption" form, BP-1 (3/99), but shall either:

- Acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity) issuing the building permit (the C-105.2 or U-26.3 form), OR
- Have the general contractor, (performing the work on the 1, 2, 3 or 4 family, owner-occupied residence (including condominiums) listed on the building permit) provide appropriate proof of workers' compensation coverage, or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit.

Village of Canajoharie

# Building Permit

Tax Map Number: 63.14-1-9.1 Permit Number: 3013

County of: Montgomery, New York

This permit must be prominently displayed on the property or premises to which it pertains until full completion of work authorized.

Permission is hereby granted to:

TOM CLIFFORD

220.000  
sq ft  
DEMO

Permitting:

DEMOLITION IN TAKING DOWN OF  
WAREHOUSES IN BACK SECTION OF OLD PLANT.

for premises located at:

68 CANTON ST  
CANAJOHARIE, N.Y. 13317

Pursuant to above numbered application, and plans and specifications, when required, approved by the issuing inspector.

## DO NOT PROCEED BEYOND THESE POINTS BEFORE CONTACTING INSPECTOR

Footings Before Pouring Concrete     

Foundation Before Backfill     

Framing Before Enclosing     

Electrical Before Enclosing     

Plumbing Before Enclosing     

HVAC Before Enclosing     

Insulation Inspection     

Final Inspection     

DEMO OF CERTAIN WAREHOUSES

12/6/2013  
Date

CRP Daffarath-0004319  
Issuing Inspector

PAW

**Village of Canajoharie**  
**Building Permit**

Tax Map Number: 63.14-1-9.1 Permit Number: 3013

County of: Montgomery, New York

This permit must be prominently displayed on the property or premises to which it pertains until full completion of work authorized.

Permission is hereby granted to:

TODD CLIFFORD  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Permitting:

CONTRACTOR TO DEMO A TOTAL OF 477,000 SQUARE  
FOOTAGE OF WAREHOUSES ON BOTH SIDES OF CREEK.  
\_\_\_\_\_  
\_\_\_\_\_

for premises located at:

68 CHURCH ST  
CANAJOHARIE, N.Y. 13317  
\_\_\_\_\_  
\_\_\_\_\_

Pursuant to above numbered application, and plans and specifications, when required, approved by the issuing inspector.

**DO NOT PROCEED BEYOND THESE POINTS BEFORE CONTACTING INSPECTOR**

Footings Before Pouring Concrete	<u>          </u>	Foundation Before Backfill	<u>          </u>
Framing Before Enclosing	<u>          </u>	Electrical Before Enclosing	<u>          </u>
Plumbing Before Enclosing	<u>          </u>	HVAC Before Enclosing	<u>          </u>
Insulation Inspection	<u>          </u>	Final Inspection	<u>          </u>
<u>DEMOLITION OF WAREHOUSE</u>			

1/30/14  
Date

CLIFFORD Dale D. 264-0004319  
Issuing Inspector NYS.

7/20/14

PAID

Village of Canajoharie

# Building Permit

DEMOLITION

RENEWAL

Tax Map Number: 63.14-1-9.1 Permit Number: 3013 R

County of: Montgomery, New York

This permit must be prominently displayed on the property or premises to which it pertains until full completion of work authorized.

Permission is hereby granted to:

TODD CLIFFORD

Permitting:

HIM TO HAVE CONTRACTOR DEMO THE WAREHOUSES OF  
THE OLD BEECHNUT PLANT, A TOTAL OF 477,000 SQ FT  
\* MARK R. LINDSLEY / INFINITY ENTERPRISES

for premises located at:

68 CHURCH ST  
CANAJOHARIE, N.Y 13317

Pursuant to above numbered application, and plans and specifications, when required, approved by the issuing inspector.

**DO NOT PROCEED BEYOND THESE POINTS BEFORE CONTACTING INSPECTOR**

Footing Before Pouring Concrete —  
Framing Before Enclosing —  
Plumbing Before Enclosing —  
Insulation Inspection —  
DEMOLITION

Foundation Before Backfill —  
Electrical Before Enclosing —  
HVAC Before Enclosing —  
Final Inspection —

8/30/14  
Date

CRD DRAUGHN - 0004319  
Issuing Inspector

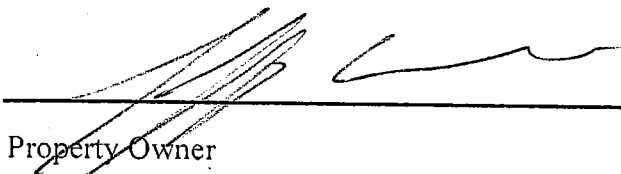
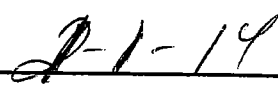
FREE FOR 6 MONTHS

I have been given notice that

*Part 56 of Title 12 of the Official Compilation Codes,  
Rules and Regulation of the State of New York  
(Cited as 12NYCRR Part )56*

May apply to the work that I am currently undertaking with my application for a  
Building Permit.

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Property Owner Date

## Village of Canajoharie

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**From:** Thegilberts8@aol.com  
**Sent:** Thursday, March 12, 2015 7:28 PM  
**To:** lou.carrock@labor.ny.gov  
**Cc:** Brumer@cox.net; demospecialist@hotmail.com; vocoff@albany.twcbc.com; was2001@gmail.com  
**Subject:** Fwd: beechnut canajoharie  
**Attachments:** Scan\_Doc0064.pdf

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From: [Thegilberts8@aol.com](mailto:Thegilberts8@aol.com)  
To: [wmking@nycap.rr.com](mailto:wmking@nycap.rr.com)  
Sent: 3/12/2015 7:17:32 P.M. Eastern Daylight Time  
Subj: beechnut canajoharie

Lou, CGK and Spectrum are working on a resolution for site mapping/building designation . Attached are maps with reference numbers to be referred to for their specific operations at present time .

NOTE, AECC'S Cad map drawing should not be used for anything other than sampling location and results. It does not accurately reflect building design or removal locations

Subj: **Beechnut**  
Date: 12/10/2014 4:46:53 P.M. Eastern Standard Time  
From: [wmking@nycap.rr.com](mailto:wmking@nycap.rr.com)  
To: [demospecialist@hotmail.com](mailto:demospecialist@hotmail.com), [toddwclifford@gmail.com](mailto:toddwclifford@gmail.com), [Thegilberts8@aol.com](mailto:Thegilberts8@aol.com)  
CC: [Thegilberts8@aol.com](mailto:Thegilberts8@aol.com)  
Hi Rodney,

We spoke with Lou Carrock from the NYSDOL concerning the Beechnut project. Instead of waiting on having a meeting Lou has agreed to the following:

- 1) Demolition work on building 74 can commence as soon as the project monitor confirms the roof is metal.
- 2) We keep 1 building unoccupied between the demolition and the asbestos abatement operations.
- 3) No work may commence until the abatement contractor is on site and operating.
- 4) Any problem will be immediately taken up with the building owner.

We all can start immediately upon receipt of a signed quote and down payment.

We are looking forward to getting this project started.

Thanks,

Bill King

Subj: **Re: Contact info**  
Date: 12/3/2014 7:01:28 P.M. Eastern Standard Time  
From: [Lou.Carrock@labor.ny.gov](mailto:Lou.Carrock@labor.ny.gov)  
To: [Thegilberts8@aol.com](mailto:Thegilberts8@aol.com)

Tom - Thanks for the requested info. If I need anything else I will contact you. I have informed Rodney with B&B Recycling that we need to have a pre-demolition meeting to make sure everyone is on the same page regarding what can and can't be demolished. You are welcome to attend this meeting especially if you will be abating other portions of the building when the demolition is in progress. I will keep you in the loop regarding the date and time of this meeting.

## Lou Carrock

Sr. Industrial Hygienist  
DOSH \_ Asbestos Control Bureau  
450 S. Salina Street - Room 202  
Syracuse, NY 13202  
(315) 479-3215 (office)  
(315) 403-0044 (cell)  
(315) 479-3333 (fax)  
email: [lou.carrock@labor.ny.gov](mailto:lou.carrock@labor.ny.gov)

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From: [Thegilberts8@aol.com](mailto:Thegilberts8@aol.com) <[Thegilberts8@aol.com](mailto:Thegilberts8@aol.com)>  
Sent: Wednesday, December 3, 2014 4:28 PM  
To: Carrock, Lou P (LABOR)  
Cc: [wmking@nycap.rr.com](mailto:wmking@nycap.rr.com)  
Subject: Fwd: Contact info

LOU ,attached are all survey/variance info you wanted-Brian from AEC will fwd latest final airs & and site assessments as requested

Thomas J Gilbert  
CGK Environmental Services LLC  
518-514-8374  
518-346-2364

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From: [toddwclifford@gmail.com](mailto:toddwclifford@gmail.com)  
To: [Thegilberts8@aol.com](mailto:Thegilberts8@aol.com)  
Sent: 11/15/2014 2:30:42 P.M. Eastern Standard Time  
Subj: Fwd: Contact info

Hi Tommy,

The reports you are looking for are at the bottom of this email chain

Sent from my iPhone

Begin forwarded message:

**From:** Todd Clifford <[toddwclifford@gmail.com](mailto:toddwclifford@gmail.com)>  
**Date:** September 16, 2014, 3:10:33 PM EDT  
**To:** "[aecllcbmclaren@aol.com](mailto:aecllcbmclaren@aol.com)" <[aecllcbmclaren@aol.com](mailto:aecllcbmclaren@aol.com)>  
**Subject:** Re: Contact info

There are approximately 13 buildings. We are demolishing them in phases. The first building to be demolished is Building #74 which is a 107,000 SQFT all metal building. The previous contractor set the pipe on the ground unwrapped so there are areas that have asbestos residue on the floor. Building #74 needs to be heppavaced. The adjacent building #73 probably will need it at the same time to allow the demo of #74.

On Tue, Sep 16, 2014 at 9:00 AM, <[aecllcbmclaren@aol.com](mailto:aecllcbmclaren@aol.com)> wrote:

Can you get me a copy of the full survey and the site av with admend to it so I can review it. Also how many buildings are there.

Thanks

Bruan

Sent from my Kyocera Milano on Sprint

Todd Clifford <[toddwclifford@gmail.com](mailto:toddwclifford@gmail.com)> wrote:

>The monitor was AECC the two companies I sent you were doing the abatement

>

>Sent from my iPhone

>

>On Sep 15, 2014, at 4:16 PM, [aecllcbmclaren@aol.com](mailto:aecllcbmclaren@aol.com) wrote:

>

>> What about the asbestos abatement end the same

>> Sent from my Kyocera Milano on Sprint

>>

>> Todd Clifford <[toddwclifford@gmail.com](mailto:toddwclifford@gmail.com)> wrote:

>>

>>> No one has started the demo so they can bid time and material

>>>>  
>>> Sent from my iPhone  
>>>  
>>> On Sep 15, 2014, at 3:33 PM, [aecllcbmclaren@aol.com](mailto:aecllcbmclaren@aol.com)  
wrote:  
>>>  
>>>> Thanks I have a demo contractor that will call you this  
week they are going to be out that and they would like to look  
the site over also most of the contractors that I have talked to  
ask one main question are they bidding or taking over someone  
elses contract or are they pricing it at t&m.  
>>>>  
>>>> Thanks  
>>>> Brian  
>>>> Sent from my Kyocera Milano on Sprint  
>>>>  
>>>> Todd Clifford <[toddwclifford@gmail.com](mailto:toddwclifford@gmail.com)> wrote:  
>>>>  
>>>>> The abatement contractors were Edgeco Environmental  
and Infinity Enterprises.  
>>>>>  
>>>>> Sent from my iPhone  
>>>>>  
>>>>> On Sep 15, 2014, at 2:38 PM, [aecllcbmclaren@aol.com](mailto:aecllcbmclaren@aol.com)  
wrote:  
>>>>>  
>>>>>> Also do you have a list of names who have been onsite  
already.  
>>>>>> Sent from my Kyocera Milano on Sprint  
>>>>>>  
>>>>>> Todd Clifford <[toddwclifford@gmail.com](mailto:toddwclifford@gmail.com)> wrote:  
>>>>>>  
>>>>>>> Hi Brian,  
>>>>>>>  
>>>>>>> Thank you for following up with me today regarding  
the former Beechnut  
>>>>>>> facility.  
>>>>>>>  
>>>>>>> My contact info is:  
>>>>>>>  
>>>>>>> Todd Clifford  
>>>>>>> TD Development, LLC  
>>>>>>> 720 Eagle View CT



Environmental, Health & Safety Consultants

639 N. Salina St., Syracuse, NY 13208  
Phone: 315-428-1959 Fax: 315-428-0432  
[www.churchillenvironmental.com](http://www.churchillenvironmental.com)

**PRE-DEMOLITION BUILDING SURVEY**  
FOR  
ASBESTOS CONTAINING MATERIALS  
INTERIOR BUILDING MATERIALS ONLY-ROOF TO BE TESTED WHEN SAFE

Property Address:  
**68 CHURCH STREET**  
**CANAJOHARIE, NY**  
**WAREHOUSES ONLY**

Prepared For:  
**GREAT WESTERN STEEL**  
**14550 N. FRANK LLOYD WRIGHT BLVD.**  
**SUITE 100**  
**SCOTTSDALE AZ. 85260**

Prepared By:  
**Churchill Environmental Inc.**  
**639 N. SALINA ST.**  
**SYRACUSE, NY 13208**

**Date: 2/22/2014**

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- 2.0 – SUMMARY OF FINDINGS**
- 2.1 – FLOOR PLANS**
- 3.0 – FIELD NOTES**
- 3.1 – LABORATORY REPORT**
- 3.2 – PROJECT PHOTOS**
- 4.0 – LABORATORY ACCREDITATION**
- 5.0 – CONSULTANT CERTIFICATION**

## DISCLAIMER

This report has been prepared primarily on the basis of the results of visual site observations, analysis of building materials, and a general survey of building conditions at the property located at **68 Church St; Canajoharie, NY.**

**Ray Churchill**, a Certified Asbestos Building Inspector for Churchill Environmental, Inc, performed the building survey work on **2/12/2014.**

*This survey is for Asbestos only and does not include testing for Lead Based Paint or PCB's in Caulk that may be required by the USEPA.*

**All measurements are estimates only. It is up to the contractor to field-verify the locations and quantities.**

# 1.0 EXECUTIVE SUMMARY

Churchill Environmental, Inc. was retained by Jeff Wendel from Great Western Steel to perform a Pre-Demolition Building Survey of the property located at 68 Church St; in the Canajoharie, New York. The purpose of the survey was to determine the presence, location, and quantity of asbestos containing materials that exist at the site.

The field survey was conducted on 2/12/2014, and included the following:

- Review of all available floor plans.
- A visual site inspection to identify suspect asbestos containing materials.
- Collection of samples from each suspect material
- Documentation of sample locations, and location of identified asbestos containing material including drywall systems, floor coverings, roofing materials, etc.
- Documentation of sample locations, and location of identified asbestos containing materials, on floor plan drawings and survey forms.

The inspection included the collection and analysis of 54 bulk samples from this building.

A breakdown of the amounts and locations of ACM are summarized in the Summary of Findings section of this report. Bulk sample locations of positive asbestos containing materials are identified on floor plan drawings and building survey forms.

Chain of custody forms, laboratory results, laboratory accreditation, and consultant's certifications and license are also included in the report.

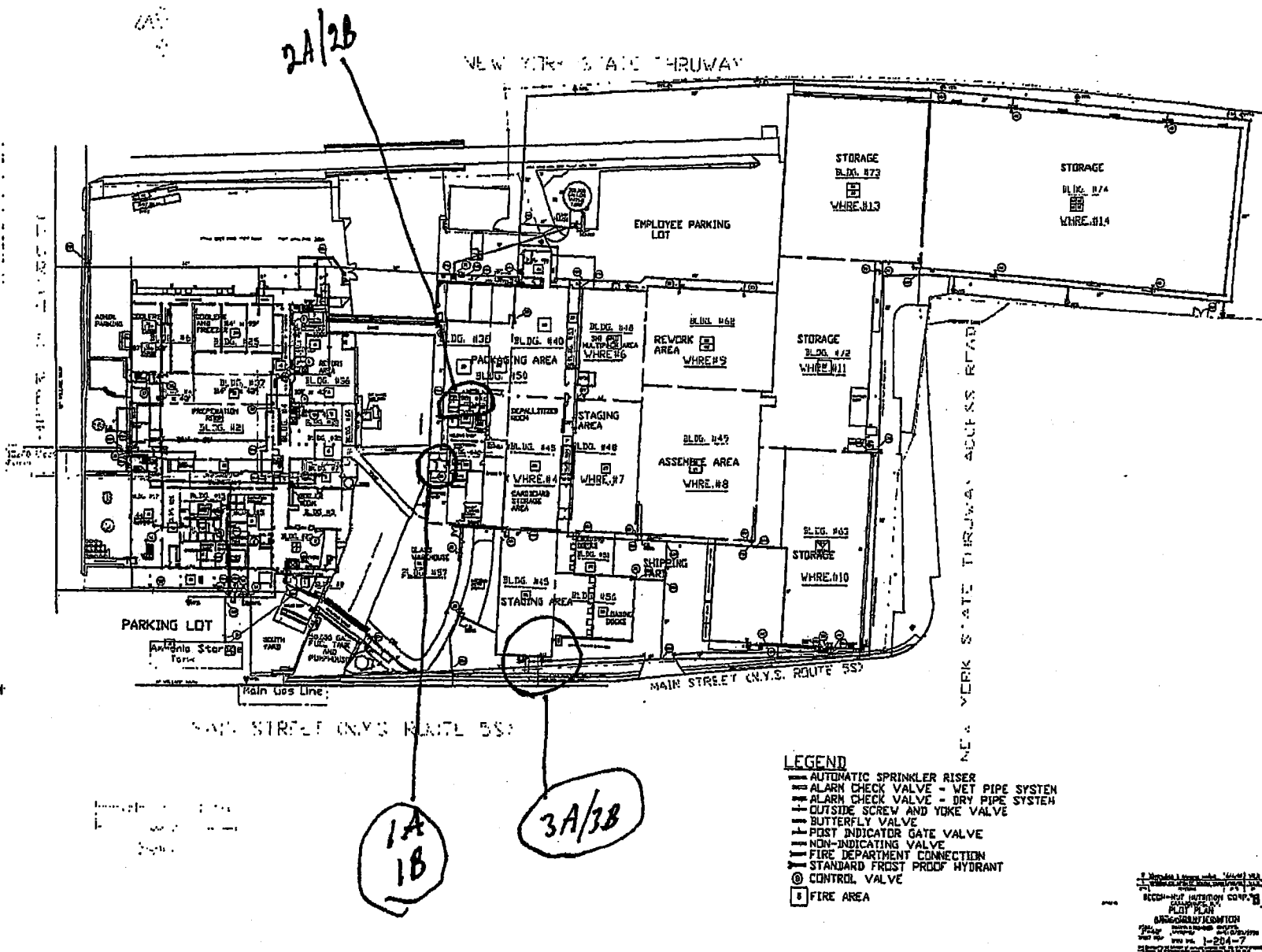
Due to the Ice and Snow Buildup on the Roofs, it was unsafe to inspect them at this time. Once it becomes safe the Roofs and suspect siding material will be sampled so a Demolition Report can be issued. This report is for the Interior Building Materials only so abatement of ACM can begin before the demolition report is issued.

**This report is for the Warehouses only on the East side of the Creek. This does not include the Admin Building on the West Side of the Creek.**

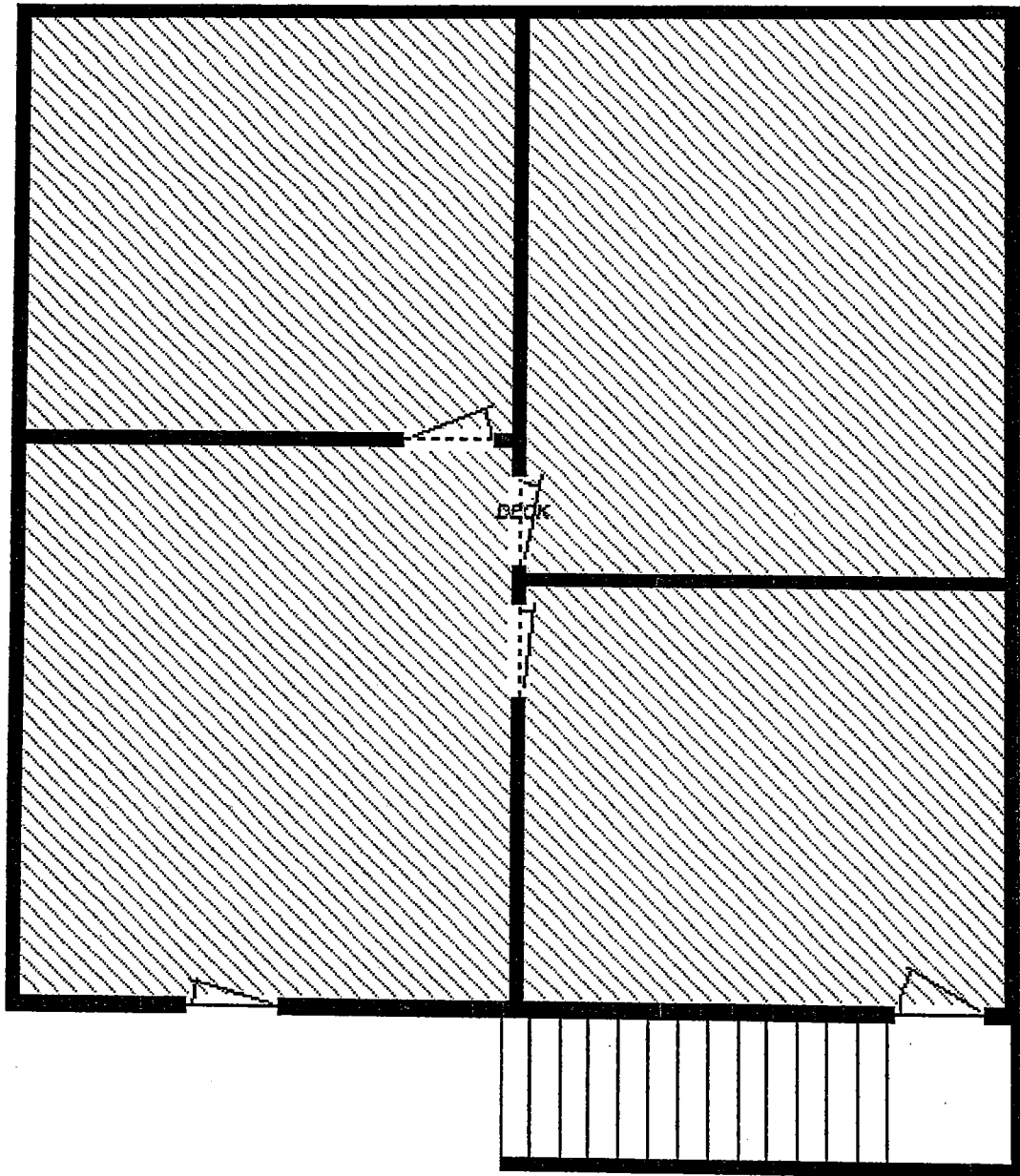
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## **2.1 FLOOR PLANS**

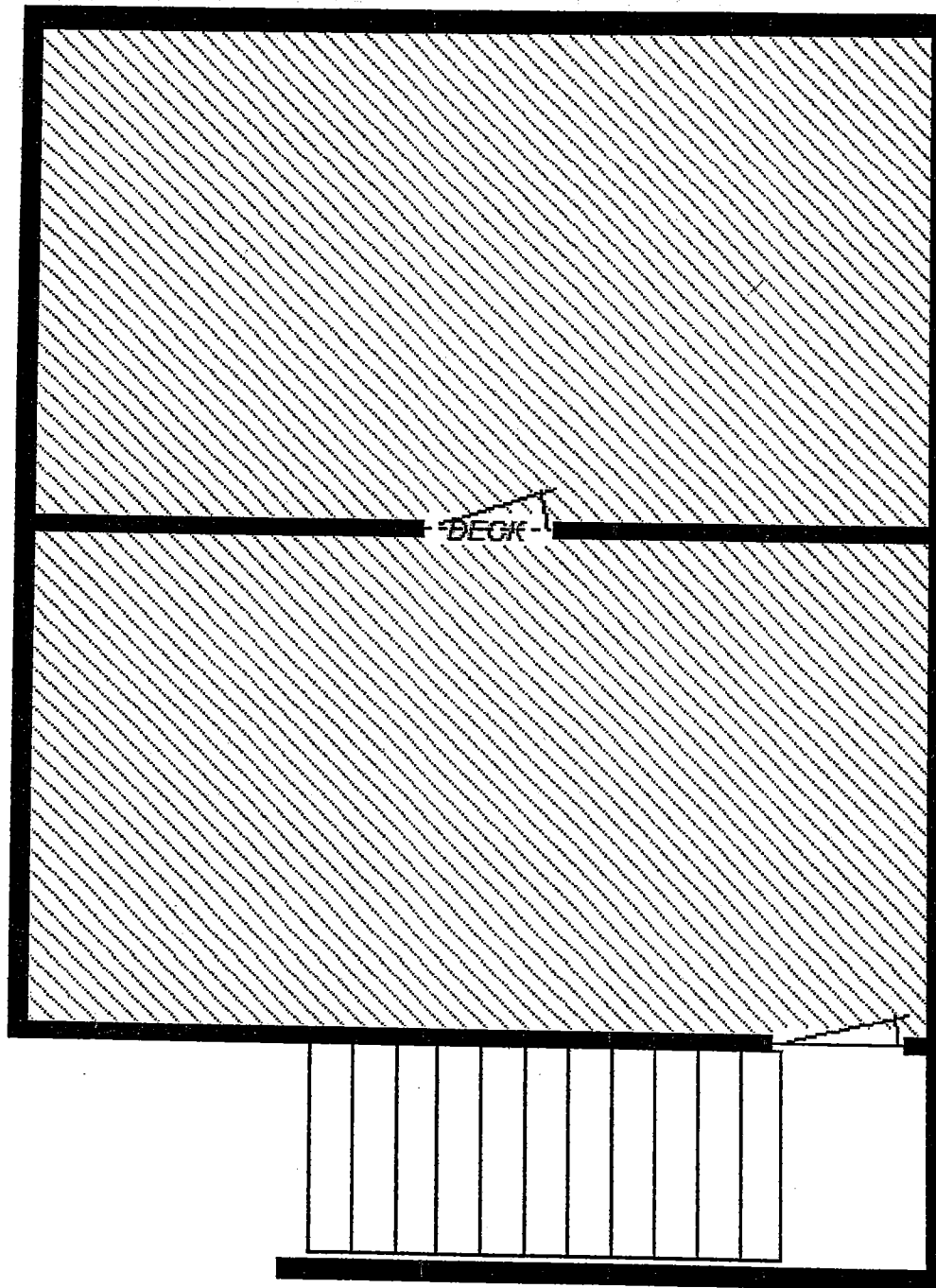
# Map Insert Location of the Warehouses



**Building 42 Insert 1A Lower Level**  
**ACM 2x2 Ceiling Tiles #118 Found in all 4 Offices**



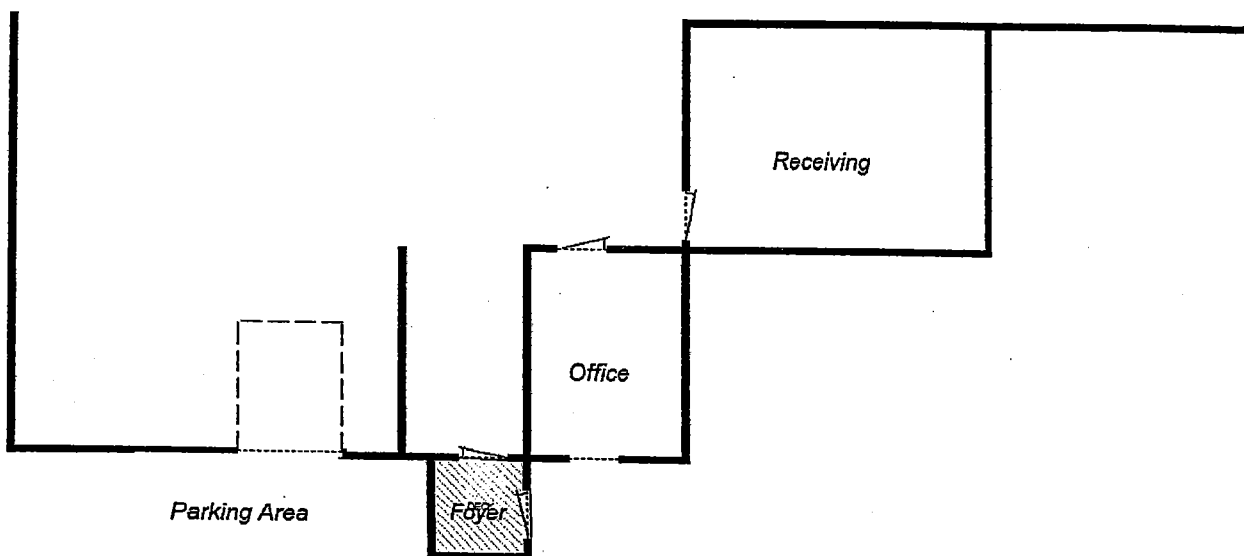
**Building 42 Insert 1B upper Level  
ACM 1x1 Floor Tiles Both Rooms**



**Building 42 Insert 2B Upper Level ACM 9x9 Floor Tiles - Black Brown**



**Building 45 Insert 3A South Foyer ACM 9x9 Floor Tiles - White Black**



### **3.0 FIELD NOTES**

**Table #2 – ACM Details**

<b>Location</b>	<b>Details of ACM</b>
Warehouses and Bridges	There is ACM Pipe Wrap, Insulation and Elbows that run Throughout. There is an Estimated 14,100 ln. ft. of these materials.
Building 42 Insert 1A & 1B Offices	There is approximately 360 sq. ft. of ACM 2x2 Ceiling Tiles on the ground level of all 4 offices and 360 sq. ft. of ACM 1x1 Floor Tiles in the 2 offices on the upper level. The Mastic is not ACM.
Building 42 Insert 2B Break Room	There is approximately 3,150 sq. ft. of ACM 9x9 Floor Tiles, both Black and Brown Tiles. The Mastic is not ACM.
South Foyer Building 45 Insert 3A	There is approximately 64 sq. ft. of ACM Floor Tiles, both Black and White. The Mastic is not ACM
Windows	There are 6 older style windows that have ACM Glazing on them. Each has about 15 ln. ft. of the material.

Due to the Ice and Snow Buildup on the Roofs, it was unsafe to inspect them at this time. Once it becomes safe the Roofs and suspect siding material will be sampled so a Demolition Report can be issued. This report is for the Interior Building Materials only so abatement of ACM can begin before the demolition report is issued.

## **3.1 LABORATORY REPORT**



Churchill Asbestos Laboratories, Inc.  
639 N. Salina St., Syracuse, NY 13208  
Phone: 315-428-1959 Fax: 315-428-0432  
www.churchill-labs.com

### PLM Analysis Report for Asbestos Bulk Sampling

Client: CHURCHILL ENVIRONMENTAL, INC.  
Client Address: 639 N. SALINA ST., SYRACUSE, NY 13208  
Client Contact: RON CHURCHILL  
Contact Phone #: 315-428-1959  
Project Name: BEECHNUT  
Project Location: 68 MAIN ST., CANAJOHARIE, NY

NYS DOH ELAP #11967  
Lab Job #: 14B-4  
Client Job #: 14043  
Date Sampled: 2/12/14  
Sampled By: RAY CHURCHILL  
Date Received: 2/14/14  
Date Reported: 2/14/14

SAMPLE ID #	LAB ID #	HSA	SAMPLE LOCATION/ ANALYST DESCRIPTION	ANALYST	ASBESTOS PRESENT / ANALYSIS METHOD	TOTAL ASBESTOS % / DATE ANALYZED
14043-101	B1400017	1	PIPE INSULATION- GREY/ NORTH BRIDGE	ROBERT BOULWARE	YES	57%
ASBESTOS TYPES: CHRYSOTILE 57% OTHER MATERIAL: NON-FIBROUS 43%			WHITE, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-102	B1400018	1	PIPE INSULATION- GREY/ NORTH BRIDGE	ROBERT BOULWARE	YES	67%
ASBESTOS TYPES: CHRYSOTILE 67% OTHER MATERIAL: NON-FIBROUS 33%			WHITE, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-103	B1400019	1	PIPE INSULATION- GREY/ NORTH BRIDGE	ROBERT BOULWARE	YES	44%
ASBESTOS TYPES: CHRYSOTILE 44% OTHER MATERIAL: NON-FIBROUS 56%			WHITE, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-104	B1400020	2	PIPE INSULATION-GREY ABOVE LOCKER ROOM/ BLD. 42	ROBERT BOULWARE	YES	22%
ASBESTOS TYPES: AMOSITE 11%, CHRYSOTILE 11% OTHER MATERIAL: NON-FIBROUS 56%, FIBROUS GLASS 22%			WHITE, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-105	B1400021	2	PIPE INSULATION-GREY ABOVE LOCKER ROOM/ BLD. 42	ROBERT BOULWARE	YES	17%
ASBESTOS TYPES: AMOSITE 13%, CHRYSOTILE 42% OTHER MATERIAL: NON-FIBROUS 58%, FIBROUS GLASS 25%			WHITE, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-106	B1400022	2	PIPE INSULATION-GREY ABOVE LOCKER ROOM/ BLD. 42	ROBERT BOULWARE	YES	24%
ASBESTOS TYPES: AMOSITE 24%, CHRYSOTILE TRACE OTHER MATERIAL: NON-FIBROUS 41%, FIBROUS GLASS 35%			WHITE, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-107	B1400023	2	PIPE ELBOW-GREY ABOVE LOCKER ROOM/ BLD. 42	ROBERT BOULWARE	YES	36%
ASBESTOS TYPES: CHRYSOTILE 36% OTHER MATERIAL: NON-FIBROUS 64%			GREY, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-108	B1400024	2	PIPE ELBOW-GREY ABOVE LOCKER ROOM/ BLD. 42	ROBERT BOULWARE	YES	57%
ASBESTOS TYPES: CHRYSOTILE 57% OTHER MATERIAL: NON-FIBROUS 43%			GREY, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-109	B1400025	2	PIPE ELBOW-GREY ABOVE LOCKER ROOM/ BLD. 42	ROBERT BOULWARE	YES	33%
ASBESTOS TYPES: CHRYSOTILE 33% OTHER MATERIAL: NON-FIBROUS 67%			GREY, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14

NOTE: REFER TO LAST PAGE OF REPORT

Page 1 of 3

Thursday, December 11, 2014 AOL: HUMMVIE2



Churchill Asbestos Laboratories, Inc.  
639 N. Salina St., Syracuse, NY 13208  
Phone: 315-428-1959 Fax: 315-428-0432  
www.churchill-labs.com

## PLM Analysis Report for Asbestos Bulk Sampling

Client: CHURCHILL ENVIRONMENTAL, INC.  
Client Address: 639 N. SALINA ST., SYRACUSE, NY 13208  
Client Contact: RON CHURCHILL  
Contact Phone #: 315-428-1959  
Project Name: BEECHNUT  
Project Location: 68 MAIN ST., CANAJOHARIE, NY

NYS DOH ELAP #11967  
Lab Job #: 14B-4  
Client Job #: 14043  
Date Sampled: 2/12/14  
Sampled By: RAY CHURCHILL  
Date Received: 2/14/14  
Date Reported: 2/14/14

SAMPLE ID #	LAB ID #	HSA	SAMPLE LOCATION/ ANALYST DESCRIPTION	ANALYST	ASBESTOS PRESENT / ANALYSIS METHOD	TOTAL ASBESTOS % / DATE ANALYZED
14043-110	B1400026	3	PIPE INSULATION-GREY FALLEN PIPE/ BETWEEN 42&45	ROBERT BOULWARE	YES	67%
ASBESTOS TYPES: CHRYSOTILE 67% OTHER MATERIAL: NON-FIBROUS 33%, CELLULOSE TRACE			GREY, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-111	B1400027	3	PIPE INSULATION-GREY FALLEN PIPE/ BETWEEN 42&45	ROBERT BOULWARE	YES	57%
ASBESTOS TYPES: CHRYSOTILE 57% OTHER MATERIAL: NON-FIBROUS 29%, CELLULOSE 14%			GREY, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-112	B1400028	3	PIPE INSULATION-GREY FALLEN PIPE/ BETWEEN 42&45	ROBERT BOULWARE	YES	67%
ASBESTOS TYPES: CHRYSOTILE 67% OTHER MATERIAL: NON-FIBROUS 33%, CELLULOSE TRACE			GREY, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-113	B1400029	4	PIPE WRAP- WHITE CUT STEEL AREA/ BLD. 42	ROBERT BOULWARE	YES	80%
ASBESTOS TYPES: CHRYSOTILE 80% OTHER MATERIAL: NON-FIBROUS 20%, CELLULOSE TRACE			WHITE, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-114	B1400030	4	PIPE WRAP- WHITE CUT STEEL AREA/ BLD. 42	ROBERT BOULWARE	YES	57%
ASBESTOS TYPES: CHRYSOTILE 57% OTHER MATERIAL: NON-FIBROUS 43%, CELLULOSE TRACE			WHITE, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14
14043-115	B1400031	4	PIPE WRAP- WHITE CUT STEEL AREA/ BLD. 42	ROBERT BOULWARE	YES	80%
ASBESTOS TYPES: CHRYSOTILE 80% OTHER MATERIAL: NON-FIBROUS 20%, CELLULOSE TRACE			WHITE, FIBROUS, HOMOGENEOUS		ELAP 198.1	2/14/14



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639 N. Salina St., Syracuse, NY 13208  
Phone: 315-428-1959 Fax: 315-428-0432  
www.churchill-labs.com

## PLM Analysis Report for Asbestos Bulk Sampling

Client: CHURCHILL ENVIRONMENTAL, INC.  
Client Address: 639 N. SALINA ST., SYRACUSE, NY 13208  
Client Contact: RON CHURCHILL  
Contact Phone #: 315-428-1959  
Project Name: BEECHNUT  
Project Location: 68 MAIN ST., CANAJOHARIE, NY

NYS DOH ELAP #11967

Lab Job #: 14B-4

Client Job #: 14043

Date Sampled: 2/12/14

Sampled By: RAY CHURCHILL

Date Received: 2/14/14

Date Reported: 2/14/14

A handwritten signature in black ink, appearing to read "Robert Boulware".

Approved by: Robert Boulware  
Lab Director- Churchill Asbestos Laboratories, Inc.

### Notes:

**Disclaimer:** "Polarized-light microscopy is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. Quantitative transmission electron microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing."

\*Layered Samples Given as a Single Sample by the Client will be Separated and Given a Layer ID Letter following the Lab ID/ Sample ID. Letters are defined as: \*A= 1<sup>st</sup> Layer, B= 2<sup>nd</sup> Layer, C=3<sup>rd</sup> Layer, etc. (A is always the 1<sup>st</sup> / Inter Layer)

\*Abbreviations: NA= Not Analyzed, NAD= No Asbestos Detected, PS= Positive Stop (Not Analyzed), PLM= Polarized Light Microscopy, HSA= Homogeneous Sampling Area

\*PLM Analysis is Performed in Conformance with NYS DOH Analysis/ Bulk Sample Analysis Methods 198.1 and 198.6 and NISOH Method 9002, Issue 2.

\*Churchill Asbestos Laboratories does not collect the samples and therefore is not responsible for improper collection or tampering of the sample(s) prior to receiving the samples.

Environmental, Health &amp; Safety Consultants

14B-4

## Chain Of Custody Form

**Location:**

Job# 14043 Page 1/1

[illegible]

**Instructions: 5 Day TAT.**

**Positive Stop:** None

**Collected by:**

Ray Churchill



Date: 2/12/2014

**Relinquished by:**

Ray Churchill

PR

**Date:** 2/13/2014

Received By:

Date: 2/14/14 6721

**Fax to: 315-428-0432**

**Email results to:** [ray@churchillenvironmental.com](mailto:ray@churchillenvironmental.com)

**AmeriSci New York**

117 EAST 30TH ST.

NEW YORK, NY 10016

TEL: (212) 679-8600 • FAX: (212) 679-3114

**PLM Bulk Asbestos Report**

Churchill Environmental, Inc.  
Attn: Ronald Churchill  
639 North Salina Street

Syracuse, NY 13208

Date Received 02/14/14 AmeriSci Job # 214022590  
Date Examined 02/17/14 P.O. #  
ELAP # 11480 Page 1 of 8  
RE: 14043; 68 Church St., Canajoharie, NY

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
14043-116 1M Location: Bld. 42-1A - Mastic	214022590-01L1	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
Analyst Description: Beige, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 2.2 %			
14043-116 1 Location: Bld. 42-1A - 9x9 Floor Tile, Beige	214022590-01L2	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
Analyst Description: Beige, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 28.8 %			
14043-117 1M Location: Bld. 42-1A - Mastic	214022590-02L1	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
Analyst Description: Beige, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 21.6 %			
14043-117 1 Location: Bld. 42-1A - 9x9 Floor Tile, Beige	214022590-02L2	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
Analyst Description: Beige, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 27.3 %			
14043-118 2 Location: Bld. 42-1A - 2x2 Ceiling Tile, White	214022590-03	Yes	2.3 % (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
Analyst Description: Light Grey, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Amosite 2.3 % Other Material: Non-fibrous 15 %			

Client Name: Churchill Environmental, Inc.

**PLM Bulk Asbestos Report**

14043; 68 Church St., Canajoharie, NY

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
14043-119 2 Location: Bld. 42-1A - 2x2 Ceiling Tile, White	214022590-04		NA/PS
<b>Analyst Description:</b> Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b>			
14043-120 3M Location: Bld. 42-1B - Mastic	214022590-05L1	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
<b>Analyst Description:</b> Tan, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.9 %			
14043-120 3 Location: Bld. 42-1B - 1x1 Floor Tile, Cream	214022590-05L2	Yes	1.6 % (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
<b>Analyst Description:</b> Beige, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile 1.6 % <b>Other Material:</b> Non-fibrous 7.9 %			
14043-121 3M Location: Bld. 42-1B - Mastic	214022590-06L1	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
<b>Analyst Description:</b> Tan, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.9 %			
14043-121 3 Location: Bld. 42-1B - 1x1 Floor Tile, Cream	214022590-06L2		NA/PS
<b>Analyst Description:</b> Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b>			
14043-122 4 Location: Bld. 42-1B - 1x2 Ceiling Tile, White/Tan	214022590-07	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
<b>Analyst Description:</b> White/Tan, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.8 %			

Client Name: Churchill Environmental, Inc.

**PLM Bulk Asbestos Report**

14043; 68 Church St., Canajoharie, NY

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
14043-123 4	214022590-08 Location: Bld. 42-1B - 1x2 Ceiling Tile, White/Tan	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
<b>Analyst Description:</b> White/Tan, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 1.7 %			
14043-124 5M	214022590-09L1 Location: Bld. 42-2A - Mastic	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
<b>Analyst Description:</b> Beige, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 28.2 %			
14043-124 5	214022590-09L2 Location: Bld. 42-2A - 9x9 Floor Tile, Green	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
<b>Analyst Description:</b> Green, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.4 %			
14043-125 5M	214022590-10L1 Location: Bld. 42-2A - Mastic	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
<b>Analyst Description:</b> Beige, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 9.2 %			
14043-125 5	214022590-10L2 Location: Bld. 42-2A - 9x9 Floor Tile, Green	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
<b>Analyst Description:</b> Green, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.4 %			
14043-126 6M	214022590-11L1 Location: Bld. 42-2B - Mastic	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 02/17/14
<b>Analyst Description:</b> Beige, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 34.5 %			

## 2.0 SUMMARY OF FINDINGS

This section includes a summary of all asbestos containing materials (ACM) identified within the building, located at 68 Church St; Canajoharie, NY. The section includes floor plan drawings, and building survey forms.

Bulk sample locations of positive asbestos containing materials are indicated on the floor plan drawings.

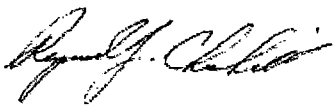
A building survey form is included for each floor level. All asbestos containing materials identified within the space are listed. Amounts of the material, physical descriptions and conditions are recorded on the form. The building survey form allows the building inspector to assess and record information regarding the type, location, quantity, and condition of the ACM within the given space.

Of the fifty-four (54) samples analyzed, twenty-one (21) samples were found to contain asbestos. Refer to Table #1

**Table #1 – ACM Found:**

Sample #	Material Type	Location	Asbestos %	Quantity	Condition
14043-101	Pipe Insulation-Grey	North Bridge	57%	14,100 ln. ft.	Good
14043-102	Pipe Insulation-Grey	North Bridge	67%	Same 101	Good
14043-103	Pipe Insulation-Grey	North Bridge	44%	Same 101	Good
14043-104	Pipe Insulation-Grey	Above Lady's Locker Room	22%	Same 101	Good
14043-105	Pipe Insulation-Grey	Above Lady's Locker Room	17%	Same 101	Good
14043-106	Pipe Insulation-Grey	Above Lady's Locker Room	24%	Same 101	Good
14043-107	Pipe Elbow-Grey	Above Lady's Locker Room	36%	Same 101	Good
14043-108	Pipe Elbow-Grey	Above Lady's Locker Room	57%	Same 101	Good
14043-109	Pipe Elbow-Grey	Above Lady's Locker Room	33%	Same 101	Good
14043-110	Pipe Insulation-Grey	Between Buildings 42 & 45	67%	Same 101	Good
14043-111	Pipe Insulation-Grey	Between Buildings 42 & 45	57%	Same 101	Good
14043-112	Pipe Insulation-Grey	Between Buildings 42 & 45	67%	Same 101	Good
14043-113	Pipe Wrap-White	Cut Steel In Building 42	80%	Same 101	Good
14043-114	Pipe Wrap-White	Cut Steel In Building 42	57%	Same 101	Good
14043-115	Pipe Wrap-White	Cut Steel In Building 42	80%	Same 101	Good
14043-118	2x2 Ceiling Tile-White	Building 42 Insert 1A	2.3%	360 sq. ft.	Good
14043-120	1x1 Floor Tile-White	Building 42 Insert 1B	1.6%	360 sq. ft.	Good
14043-126	9x9 Floor Tile-Black	Building 42 Insert 2B	4.1%	3150 sq. ft.	Good
14043-128	9x9 Floor Tile-Brown	Building 42 Insert 2B	6.8%	Same 126	Good
14043-142	9x9 Floor Tile-Black	S. Foyer Bld. 45 Insert 3A	7.2%	64 sq. ft.	Good
14043-134	Window Glaze-White	S. Foyer Bld. 45 Insert 3A	1.5%	6 Windows	Good

USEPA/NYS DOL Building Inspector:



Date: 2/22/2014

Client Name: Asbestos &amp; Environmental Consulting Corp.

**PLM Bulk Asbestos Report**14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
FIELD - 012B 12	214054885-24 Location: Roof Section 8 - Built Up Roofing	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 13.6 %			
INS - 013A 13	214054885-25 Location: Roof Section 8 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> Light Brown, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 2 %, Non-fibrous 98 %			
INS - 013B 13	214054885-26 Location: Roof Section 8 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 5 %, Non-fibrous 95 %			
FIELD - 014A 14	214054885-27 Location: Roof Section 6 - Built Up Roofing	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 3.5 %			
FIELD - 014B 14	214054885-28 Location: Roof Section 6 - Built Up Roofing	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 18.3 %			
FELT - 015A 15	214054885-29 Location: Roof Section 6 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 3.1 %			

**PLM Bulk Asbestos Report**

14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
FELT - 015B 15	214054885-30 Location: Roof Section 6 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.4 %			
INS - 016A 16	214054885-31 Location: Roof Section 6 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 5 %, Non-fibrous 95 %			
INS - 016B 16	214054885-32 Location: Roof Section 6 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 5 %, Non-fibrous 95 %			
FILED - 017A 17	214054885-33 Location: Roof Section 7 - Built Up Roofing	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 4.2 %			
FILED - 017B 17	214054885-34 Location: Roof Section 7 - Built Up Roofing	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 6.9 %			
FIELD - 018A 18	214054885-35 Location: Roof Section 9 - Built Roofing	Yes	2.3 % (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile 2.3 % <b>Other Material:</b> Non-fibrous 10.3 %			

**PLM Bulk Asbestos Report**

14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
FIELD - 018B 18	214054885-36 Location: Roof Section 9 - Built Roofing		NA/PS
<b>Analyst Description:</b> Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b>			
HMOP - 019A 19	214054885-37 Location: Roof Section 9 - Bottom Layer Hot Mop	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.4 %			
HMOP - 019B 19	214054885-38 Location: Roof Section 9 - Bottom Layer Hot Mop	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.4 %			
FIELD - 020A 20	214054885-39 Location: Roof Section 10 - Built Up Roofing	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 64.9 %			
FIELD - 020B 20	214054885-40 Location: Roof Section 10 - Built Up Roofing	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 61.9 %			
FELT - 021A 21	214054885-41 Location: Roof Section 10 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.3 %			

Client Name: Asbestos &amp; Environmental Consulting Corp.

**PLM Bulk Asbestos Report**14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
FELT - 021B 21 Location: Roof Section 10 - Bottom Layer Felt Paper	214054885-42	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.5 %			
FIELD - 022A 22 Location: Roof Section 11 - Built Up Roofing	214054885-43	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 6 %			
FIELD - 022B 22 Location: Roof Section 11 - Built Up Roofing	214054885-44	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 15.5 %			
FELT - 023A 23 Location: Roof Section 11 - Bottom Layer Felt Paper	214054885-45	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 8.4 %			
FELT - 023B 23 Location: Roof Section 11 - Bottom Layer Felt Paper	214054885-46	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 14 %			
INS - 024A 24 Location: Roof Section 11 - Roofing Deck Insulation (White)	214054885-47	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 2 %, Non-fibrous 98 %			

**PLM Bulk Asbestos Report**

14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
INS - 024B 24	214054885-48 Location: Roof Section 11 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 2 %, Non-fibrous 98 %			
FIELD - 025A 25	214054885-49 Location: Roof Section 12 - Built Up Roofing	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 10.6 %			
FIELD - 025B 25	214054885-50 Location: Roof Section 12 - Built Up Roofing	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 12.2 %			
FELT - 026A 26	214054885-51 Location: Roof Section 12 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 13.3 %			
FELT - 026B 26	214054885-52 Location: Roof Section 12 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 16.3 %			
INS - 027A 27	214054885-53 Location: Roof Section 12 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 5 %, Non-fibrous 95 %			

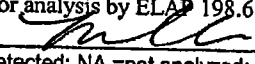
**PLM Bulk Asbestos Report**

14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
INS - 027B 27	214054885-54 Location: Roof Section 12 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
Analyst Description: White, Homogeneous, Non-Fibrous, Bulk Material			
Asbestos Types:			
Other Material: Cellulose 2 %, Non-fibrous 98 %			

**Reporting Notes:**

(1) Sample prepared for analysis by ELAP 198.6 method

Analyzed by: Karol H. Lu 

\*NAD/NSD =no asbestos detected; NA =not analyzed; NA/PS=not analyzed/positive stop; PLM Bulk Asbestos Analysis by EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 200546-0), ELAP PLM Method 198.1 for NY friable samples, which includes the identification and quantitation of vermiculite or 198.6 for NOB samples or EPA 400 pt ct by EPA 600/M4-82-020 (NY ELAP Lab ID11480); Note:PLM is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. NAD or Trace results by PLM are Inconclusive, TEM is currently the only method that can be used to determine if this material can be considered or treated as non asbestos-containing in NY State (also see EPA Advisory for floor tile, FR 59,146,38970,8/1/94) National Institute of Standards and Technology Accreditation requirements mandate that this report must not be reproduced except in full without the approval of the lab. This PLM report relates ONLY to the items tested. AIHA Lab # 102843, RI Cert#AAL-094, CT Cert#PH-0186, Mass Cert#AA000054.

Reviewed By: \_\_\_\_\_ END OF REPORT \_\_\_\_\_



## LIMITED ASBESTOS BULK SAMPLING & ANALYSIS REPORT

Former Beech Nut Facility  
102 Church Street  
Canajoharie, New York 13317

***Prepared for:***

TD Development, LLC  
720 Eagle View Court  
Mason, Ohio 45040

***Prepared by:***

Asbestos & Environmental Consulting Corporation (AECC)  
6308 Fly Road  
East Syracuse, New York 13057



June 2, 2014

Mr. Todd Clifford  
TD Development, LLC  
720 Eagle View Court  
Mason, Ohio 45040

**RE: Limited Asbestos Bulk Sampling & Analysis Report**  
**Former Beech Nut Facility – 102 Church Street, Canajoharie, New York 13317**  
**AECC Project Number: 14-124**

Dear Mr. Clifford:

The Asbestos & Environmental Consulting Corporation (AECC) performed a limited asbestos bulk sampling event at the former Beech Nut Facility, located at 102 Church Street, in Canajoharie, New York. The sampling was limited to the warehouse sections of the former plant, as directed by the Client's representatives at the project site. The asbestos bulk samples were collected by Mr. Nick Coulombe, a New York State Department of Labor (NYSDOL) asbestos-certified Building Inspector. Post collection, the samples were labeled and sent to AmeriSci New York for laboratory analysis. The following building materials were collected and analyzed:

**Table 1 – Bulk Sampling / Asbestos Analysis Summary**

<b>SAMPLE NUMBER</b>	<b>MATERIAL DESCRIPTION</b>	<b>SAMPLE LOCATION</b>	<b>ASBESTOS CONTENT</b>
FIELD-001A,B	Built-Up Roofing	Roof Section 1 – Top Layer	NAD
FELT-002A,B	Roofing Felt Paper	Roof Section 1 – Bottom Layer	TRACE
INS-003A,B	Roof Deck Insulation (White)	Roof Section 1 - Deck	NAD
FIELD-004A,B	Built-Up Roofing	Roof Section 2 – Top Layer	1.6% Chrysotile
FELT-005A,B	Roofing Felt Paper	Roof Section 2 – Bottom Layer	NAD
INS-006A,B	Roof Deck Insulation (White)	Roof Section 2 – Deck	NAD
FIELD-007A,B	Built-Up Roofing	Roof Section 3 – Top Layer	NAD
FELT-008A,B	Roofing Felt Paper	Roof Section 3 – Bottom Layer	NAD
FIELD-009A,B	Built-Up Roofing	Roof Section 4 – Top Layer	NAD

Mr. Todd Clifford  
TD Development, LLC  
**Limited Asbestos Bulk Sampling & Analysis Report**  
**Former Beech Nut Facility – 102 Church Street, Canajoharie, New York**

**Table 1 – Bulk Sampling / Asbestos Analysis Summary**

SAMPLE NUMBER	MATERIAL DESCRIPTION	SAMPLE LOCATION	ASBESTOS CONTENT
FELT-010A,B	Roofing Felt Paper	Roof Section 4 – Bottom Layer	NAD
INS-011A,B	Roof Deck Insulation (White)	Roof Section 4 – Deck	NAD
FIELD-012A,B	Built-Up Roofing	Roof Section 8 – Top Layer	1.4% Chrysotile
INS-013A,B	Roof Deck Insulation (White)	Roof Section 8 – Deck	NAD
FIELD-014A,B	Built-Up Roofing	Roof Section 6 – Top Layer	NAD
FELT-015A,B	Roofing Felt Paper	Roof Section 6 – Bottom Layer	NAD
INS-016A,B	Roof Deck Insulation (White)	Roof Section 6 - Deck	NAD
FIELD-017A,B	Built-Up Roofing	Roof Section 7 – Top Layer	1.5% Chrysotile
FIELD-018A,B	Built-Up Roofing	Roof Section 9 – Top Layer	2.3% Chrysotile
HMOP-019A,B	Roofing Hot Mop	Roof Section 9 – Bottom Layer	NAD
FIELD-020A,B	Built-Up Roofing	Roof Section 10 – Top Layer	NAD
FELT-021A,B	Roofing Felt Paper	Roof Section 10 – Bottom Layer	NAD
FIELD-022A,B	Built-Up Roofing	Roof Section 11 – Top Layer	<1% Chrysotile
FELT-023A,B	Roofing Felt Paper	Roof Section 11 – Bottom Layer	NAD
INS-024A,B	Roof Deck Insulation (White)	Roof Section 11 – Deck	NAD
FIELD-025A,B	Built-Up Roofing	Roof Section 12 – Top Layer	1.5% Chrysotile
FELT-026A,B	Roofing Felt Paper	Roof Section 12 – Bottom Layer	NAD
INS-027A,B	Roof Deck Insulation (White)	Roof Section 12 – Deck	NAD

**Table Notes:**

NAD = No Asbestos Detected

TRACE = <0.25% Asbestos

**Asbestos Bulk Sample Summary** – By regulatory definition, a building material must be greater than one percent (1%) asbestos to be considered an asbestos-containing material (ACM). During this sampling event, the built-up roofing materials on roof sections #2, #7, #8, #9 and #12 were determined to be ACMs by laboratory analysis. According to State and Federal laws, ACMs and presumed asbestos-containing materials (PACMs) must be handled and disposed of by a licensed abatement contractor prior to any renovation or demolition-related activities. The laboratory analysis results have been included in Attachment B of this report.

Mr. Todd Clifford

TD Development, LLC

**Limited Asbestos Bulk Sampling & Analysis Report**

**Former Beech Nut Facility – 102 Church Street, Canajoharie, New York**

**OSHA Compliance** – It should be noted that the Occupational Safety & Health Administration (OSHA) Asbestos Standard (29 CFR 1926.1101) has a definition for both "asbestos" and "asbestos-containing material." Under OSHA Asbestos Standard, the definition of asbestos covers all materials containing any concentration of detected asbestos, including those with concentrations less than or equal to one percent asbestos (i.e. the roofing felt paper on roof section #1 and the built-up roofing on roof section #11). Although work operations conducted in areas where a material contains less than or equal to one percent asbestos is an "unclassified" operation, the employer still must follow the requirements of 29 CFR 1926.1101(g)(1) [except (g)(1)(i)], (g)(2) and (g)(3) that describe engineering and work practice controls operations to prevent unnecessary asbestos exposures to their employees (worker protection regulations).

**Transmittal of Building / Structure Asbestos Survey Information** – As required by New York State Industrial Code Rule 56, copies of this report shall be immediately transmitted by the building/structure owner, as follows:


1. One (1) copy of the completed asbestos survey shall be sent by the owner, or their agent, to the local entity charged with issuing a permit for such demolition, renovation, remodeling, or repair work under state or local laws.
2. One (1) copy of the completed asbestos survey for controlled demolition (as per Subpart 56-11.5) or pre-demolition asbestos projects shall also be submitted to the appropriate Asbestos Control Bureau district office.
3. One (1) copy of completed asbestos survey shall be kept on the construction (demolition) site with the asbestos notification and variance, if required, throughout the duration of the asbestos project and any associated demolition, renovation, remodeling, or repair project.

**Report Note** – This sampling event was limited in nature. Only the main roof fields were sampled, as per the direction of the Client. In the event that other building materials (materials not specifically identified in this report) are identified during the course of the project, the materials shall be treated as presumed asbestos-containing materials (PACMs) until examined by an appropriately trained/certified individual and/or laboratory analysis proves otherwise.

If you have any questions pertaining to this report, please contact me directly at (315) 432-9400.

Sincerely,

Asbestos & Environmental Consulting Corporation



Bryan Bowers

President / Owner

Attachment A: AECC Company License and Personnel Certifications

Attachment B: Asbestos Bulk Sample Laboratory Results

Attachment C: Figure 1

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## **ATTACHMENT A**

### **AECC COMPANY LICENSE AND PERSONNEL CERTIFICATIONS**

New York State Department of Labor

Division of Safety and Health  
License and Certificate Unit  
State Campus, Building 12  
Albany, NY 12240

ASBESTOS HANDLING LICENSE

Asbestos & Environmental Consulting Corporation

6308 Fly Road

E. Syracuse, NY 13057

FILE NUMBER: 09-42909

LICENSE NUMBER: 42909

LICENSE CLASS: RESTRICTED

DATE OF ISSUE: 02/12/2014

EXPIRATION DATE: 02/28/2016

Duly Authorized Representative - Bryan Bowers

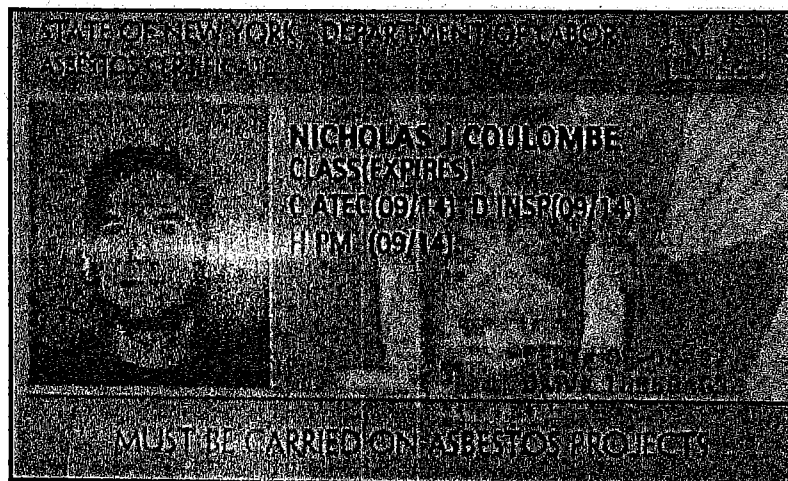
This license has been issued in accordance with applicable provisions of Article 10 of the Labor Law of New York State and of the New York State Codes, Rules and Regulations (12 NYCRR Part 56). It is subject to suspension or revocation for a (1) serious violation of state, federal or local laws with regard to the conduct of an asbestos project, or (2) demonstrated lack of responsibility in the conduct of any job involving asbestos or asbestos material.

This license is valid only for the contractor named above and this license or a photocopy must be prominently displayed at the asbestos project worksite. This license verifies that all persons employed by the licensee on an asbestos project in New York State have been issued an Asbestos Certificate, appropriate for the type of work they perform, by the New York State Department of Labor.

*Eileen M. Franko*

Eileen M. Franko, Acting Director  
For the Commissioner of Labor

## ASBESTOS CERTIFICATION



The following letter codes (as shown on the handling certificate) represent the corresponding asbestos classifications.

A – Asbestos Handler  
B – Allied Trades  
C – Air sampling Technician

D – Asbestos Inspector  
E – Management Planner  
F – Operations & Maintenance

G – Asbestos Supervisor  
H – Asbestos Project Monitor  
I – Asbestos Project Designer



June 2, 2014

Mr. Todd Clifford  
TD Development, LLC  
720 Eagle View Court  
Mason, Ohio 45040

**RE: Limited Asbestos Bulk Sampling & Analysis Report  
Former Beech Nut Facility – 102 Church Street, Canajoharie, New York 13317  
AECC Project Number: 14-124**

Dear Mr. Clifford:

The Asbestos & Environmental Consulting Corporation (AECC) performed a limited asbestos bulk sampling event at the former Beech Nut Facility, located at 102 Church Street, in Canajoharie, New York. The sampling was limited to the warehouse sections of the former plant, as directed by the Client's representatives at the project site. The asbestos bulk samples were collected by Mr. Nick Coulombe, a New York State Department of Labor (NYSDOL) asbestos-certified Building Inspector. Post collection, the samples were labeled and sent to AmeriSci New York for laboratory analysis. The following building materials were collected and analyzed:

**Table 1 – Bulk Sampling / Asbestos Analysis Summary**

<b>SAMPLE NUMBER</b>	<b>MATERIAL DESCRIPTION</b>	<b>SAMPLE LOCATION</b>	<b>ASBESTOS CONTENT</b>
FIELD-001A,B	Built-Up Roofing	Roof Section 1 – Top Layer	NAD
FELT-002A,B	Roofing Felt Paper	Roof Section 1 – Bottom Layer	TRACE
INS-003A,B	Roof Deck Insulation (White)	Roof Section 1 - Deck	NAD
<b>FIELD-004A,B</b>	<b>Built-Up Roofing</b>	<b>Roof Section 2 – Top Layer</b>	<b>1.6% Chrysotile</b>
FELT-005A,B	Roofing Felt Paper	Roof Section 2 – Bottom Layer	NAD
INS-006A,B	Roof Deck Insulation (White)	Roof Section 2 – Deck	NAD
FIELD-007A,B	Built-Up Roofing	Roof Section 3 – Top Layer	NAD
FELT-008A,B	Roofing Felt Paper	Roof Section 3 – Bottom Layer	NAD
FIELD-009A,B	Built-Up Roofing	Roof Section 4 – Top Layer	NAD

Mr. Todd Clifford

TD Development, LLC

**Limited Asbestos Bulk Sampling & Analysis Report**

**Former Beech Nut Facility – 102 Church Street, Canajoharie, New York**

**Table 1 – Bulk Sampling / Asbestos Analysis Summary**

<b>SAMPLE NUMBER</b>	<b>MATERIAL DESCRIPTION</b>	<b>SAMPLE LOCATION</b>	<b>ASBESTOS CONTENT</b>
FELT-010A,B	Roofing Felt Paper	Roof Section 4 – Bottom Layer	NAD
INS-011A,B	Roof Deck Insulation (White)	Roof Section 4 – Deck	NAD
FIELD-012A,B	Built-Up Roofing	Roof Section 8 – Top Layer	1.4% Chrysotile
INS-013A,B	Roof Deck Insulation (White)	Roof Section 8 – Deck	NAD
FIELD-014A,B	Built-Up Roofing	Roof Section 6 – Top Layer	NAD
FELT-015A,B	Roofing Felt Paper	Roof Section 6 – Bottom Layer	NAD
INS-016A,B	Roof Deck Insulation (White)	Roof Section 6 - Deck	NAD
FIELD-017A,B	Built-Up Roofing	Roof Section 7 – Top Layer	1.5% Chrysotile
FIELD-018A,B	Built-Up Roofing	Roof Section 9 – Top Layer	2.3% Chrysotile
HMOP-019A,B	Roofing Hot Mop	Roof Section 9 – Bottom Layer	NAD
FIELD-020A,B	Built-Up Roofing	Roof Section 10 – Top Layer	NAD
FELT-021A,B	Roofing Felt Paper	Roof Section 10 – Bottom Layer	NAD
FIELD-022A,B	Built-Up Roofing	Roof Section 11 – Top Layer	<1% Chrysotile
FELT-023A,B	Roofing Felt Paper	Roof Section 11 – Bottom Layer	NAD
INS-024A,B	Roof Deck Insulation (White)	Roof Section 11 – Deck	NAD
FIELD-025A,B	Built-Up Roofing	Roof Section 12 – Top Layer	1.5% Chrysotile
FELT-026A,B	Roofing Felt Paper	Roof Section 12 – Bottom Layer	NAD
INS-027A,B	Roof Deck Insulation (White)	Roof Section 12 – Deck	NAD

**Table Notes:**

NAD = No Asbestos Detected

TRACE = <0.25% Asbestos

**Asbestos Bulk Sample Summary** – By regulatory definition, a building material must be greater than one percent (1%) asbestos to be considered an asbestos-containing material (ACM). During this sampling event, the built-up roofing materials on roof sections #2, #7, #8, #9 and #12 were determined to be ACMs by laboratory analysis. According to State and Federal laws, ACMs and presumed asbestos-containing materials (PACMs) must be handled and disposed of by a licensed abatement contractor prior to any renovation or demolition-related activities. The laboratory analysis results have been included in Attachment B of this report.

Mr. Todd Glifford  
TD Development, LLC

**Limited Asbestos Bulk Sampling & Analysis Report**

**Former Beech Nut Facility – 102 Church Street, Canajoharie, New York**

**OSHA Compliance** – It should be noted that the Occupational Safety & Health Administration (OSHA) Asbestos Standard (29 CFR 1926.1101) has a definition for both "asbestos" and "asbestos-containing material." Under OSHA Asbestos Standard, the definition of asbestos covers all materials containing any concentration of detected asbestos, including those with concentrations less than or equal to one percent asbestos (i.e. the roofing felt paper on roof section #1 and the built-up roofing on roof section #11). Although work operations conducted in areas where a material contains less than or equal to one percent asbestos is an "unclassified" operation, the employer still must follow the requirements of 29 CFR 1926.1101(g)(1) [except (g)(1)(i)], (g)(2) and (g)(3) that describe engineering and work practice controls operations to prevent unnecessary asbestos exposures to their employees (worker protection regulations).

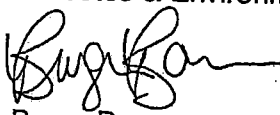
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1. One (1) copy of the completed asbestos survey shall be sent by the owner, or their agent, to the local entity charged with issuing a permit for such demolition, renovation, remodeling, or repair work under state or local laws.
2. One (1) copy of the completed asbestos survey for controlled demolition (as per Subpart 56-11.5) or pre-demolition asbestos projects shall also be submitted to the appropriate Asbestos Control Bureau district office.
3. One (1) copy of completed asbestos survey shall be kept on the construction (demolition) site with the asbestos notification and variance, if required, throughout the duration of the asbestos project and any associated demolition, renovation, remodeling, or repair project.

**Report Note** – This sampling event was limited in nature. Only the main roof fields were sampled, as per the direction of the Client. In the event that other building materials (materials not specifically identified in this report) are identified during the course of the project, the materials shall be treated as presumed asbestos-containing materials (PACMs) until examined by an appropriately trained/certified individual and/or laboratory analysis proves otherwise.

If you have any questions pertaining to this report, please contact me directly at (315) 432-9400.

Sincerely,  
Asbestos & Environmental Consulting Corporation

  
Bryan Bowers  
President / Owner

Attachment A: AECC Company License and Personnel Certifications  
Attachment B: Asbestos Bulk Sample Laboratory Results  
Attachment C: Figure 1

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**ATTACHMENT A**  
**AECC COMPANY LICENSE AND PERSONNEL CERTIFICATIONS**

**Table I**  
**Summary of Bulk Asbestos Analysis Results**  
 14-124; TD Development, LLC; Former Beech Nut Facility, 102 Church Street, Canajoharie, New York 13317

AmeriSci Sample #	Client Sample#	HG Area	Sample Weight (gram)	Heat Sensitive Organic %	Acid Soluble Inorganic %	Insoluble Non-Asbestos Inorganic %	** Asbestos % by PLM/DS	** Asbestos % by TEM
01	FIELD - 001A	1	0.487	98.8	0.6	0.6	NAD	NAD
Location:	Roof Section - Built Up Roofing							
02	FIELD - 001B	1	0.283	99.3	0.4	0.4	NAD	NAD
Location:	Roof Section - Built Up Roofing							
03	FELT - 002A	2	0.192	99.0	0.5	0.5	NAD	NAD
Location:	Roof Section 1 - Bottom Layer Felt Paper							
04	FELT - 002B	2	0.231	97.4	1.3	1.2	Chrysotile <0.25	Chrysotile Trace
Location:	Roof Section 1 - Bottom Layer Felt Paper							
05	INS - 003A	3	—	—	—	—	NAD	NA
Location:	Roof Section 1 - Roofing Deck Insulation (White)							
06	INS - 003B	3	—	—	—	—	NAD	NA
Location:	Roof Section 1 - Roofing Deck Insulation (White)							
07	FIELD - 004A	4	0.748	37.2	14.4	48.4	Chrysotile <0.25	NA
Location:	Roof Section 2 - Built Up Roofing							
08	FIELD - 004B	4	0.650	43.7	20.5	34.2	Chrysotile 1.6	NA
Location:	Roof Section 2 - Built Up Roofing							
09	FELT - 005A	5	0.350	99.1	0.6	0.3	NAD	NAD
Location:	Roof Section 2 - Bottom Layer Felt Paper							
10	FELT - 005B	5	0.213	99.1	0.5	0.5	NAD	NAD
Location:	Roof Section 2 - Bottom Layer Felt Paper							
11	INS - 006A	6	—	—	—	—	NAD	NA
Location:	Roof Section - Roofing Deck Insulation (White)							
12	INS - 006B	6	—	—	—	—	NAD	NA
Location:	Roof Section - Roofing Deck Insulation (White)							
13	FIELD - 007A	7	0.324	86.4	1.5	12.0	NAD	NAD
Location:	Roof Section 3 - Built Up Roofing							
14	FIELD - 007B	7	0.230	91.3	0.4	8.3	NAD	NAD
Location:	Roof Section 3 - Built Up Roofing							
15	FELT - 008A	8	0.133	98.5	0.8	0.8	NAD	NAD
Location:	Roof Section 3 - Bottom Layer Felt Paper							
16	FELT - 008B	8	0.186	96.8	1.6	1.6	NAD	NAD
Location:	Roof Section 3 - Bottom Layer Felt Paper							

See Reporting notes on last page

Client Name: Asbestos &amp; Environmental Consulting Corp.

**Table I**  
**Summary of Bulk Asbestos Analysis Results**

14-124; TD Development, LLC; Former Beech Nut Facility, 102 Church Street, Canajoharie, New York 13317

AmeriSci Sample #	Client Sample#	HG Area	Sample Weight (gram)	Heat Sensitive Organic %	Acid Soluble Inorganic %	Insoluble Non-Asbestos Inorganic %	** Asbestos % by PLM/DS	** Asbestos % by TEM
17	FIELD - 009A	9	0.356	94.7	0.3	5.1	NAD	NAD
Location: Roof Section 4 - Built Up Roofing								
18	FIELD - 009B	9	0.353	99.4	0.3	0.3	NAD	NAD
Location: Roof Section 4 - Built Up Roofing								
19	FELT - 010A	10	0.306	99.3	0.3	0.3	NAD	NAD
Location: Roof Section 4 - Bottom Layer Felt Paper								
20	FELT - 010B	10	0.270	94.8	1.5	3.7	NAD	NAD
Location: Roof Section 4 - Bottom Layer Felt Paper								
21	INS - 011A	11	—	—	—	—	NAD	NA
Location: Roof Section 4 - Roof Decking Insulation (White)								
22	INS - 011B	11	—	—	—	—	NAD	NA
Location: Roof Section 4 - Roof Decking Insulation (White)								
23	FIELD - 012A	12	0.339	94.4	0.6	4.8	Chrysotile <0.25	Chrysotile <1.0
Location: Roof Section 8 - Built Up Roofing								
24	FIELD - 012B	12	0.404	78.5	7.9	12.2	Chrysotile <0.25	Chrysotile 1.4
Location: Roof Section 8 - Built Up Roofing								
25	INS - 013A	13	—	—	—	—	NAD	NA
Location: Roof Section 8 - Roofing Deck Insulation (White)								
26	INS - 013B	13	—	—	—	—	NAD	NA
Location: Roof Section 8 - Roofing Deck Insulation (White)								
27	FIELD - 014A	14	0.369	95.9	0.5	3.5	NAD	NAD
Location: Roof Section 6 - Built Up Roofing								
28	FIELD - 014B	14	0.289	76.5	5.2	18.3	NAD	NAD
Location: Roof Section 6 - Built Up Roofing								
29	FELT - 015A	15	0.292	93.8	3.1	3.1	NAD	NAD
Location: Roof Section 6 - Bottom Layer Felt Paper								
30	FELT - 015B	15	0.265	99.2	0.4	0.4	NAD	NAD
Location: Roof Section 6 - Bottom Layer Felt Paper								
31	INS - 016A	16	—	—	—	—	NAD	NA
Location: Roof Section 6 - Roofing Deck Insulation (White)								
32	INS - 016B	16	—	—	—	—	NAD	NA
Location: Roof Section 6 - Roofing Deck Insulation (White)								

See Reporting notes on last page

**Table I**  
**Summary of Bulk Asbestos Analysis Results**

14-124; TD Development, LLC; Former Beech Nut Facility, 102 Church Street, Canajoharie, New York 13317

AmeriSci Sample #	Client Sample#	HG Area	Sample Weight (gram)	Heat Sensitive Organic %	Acid Soluble Inorganic %	Insoluble Non-Asbestos Inorganic %	** Asbestos % by PLM/DS	** Asbestos % by TEM
33	FILED - 017A	17	0.578	88.9	6.9	2.7	Chrysotile <0.25	Chrysotile 1.5
Location:	Roof Section 7 - Built Up Roofing							
34	FILED - 017B	17	0.771	66.0	27.1	6.9	Chrysotile <0.25	NA/PS
Location:	Roof Section 7 - Built Up Roofing							
35	FIELD - 018A	18	0.388	80.9	6.4	10.3	Chrysotile 2.3	NA
Location:	Roof Section 9 - Built Roofing							
36	FIELD - 018B	18	0.480	67.1	9.8	23.1	NA/PS	NA
Location:	Roof Section 9 - Built Roofing							
37	HMOP - 019A	19	0.278	99.3	0.4	0.4	NAD	NAD
Location:	Roof Section 9 - Bottom Layer Hot Mop							
38	HMOP - 019B	19	0.254	99.2	0.4	0.4	NAD	NAD
Location:	Roof Section 9 - Bottom Layer Hot Mop							
39	FIELD - 020A	20	0.773	31.0	4.0	64.9	NAD	NAD
Location:	Roof Section 10 - Built Up Roofing							
40	FIELD - 020B	20	0.672	37.5	0.6	61.9	NAD	NAD
Location:	Roof Section 10 - Built Up Roofing							
41	FELT - 021A	21	0.333	99.4	0.3	0.3	NAD	NAD
Location:	Roof Section 10 - Bottom Layer Felt Paper							
42	FELT - 021B	21	0.203	99.0	0.5	0.5	NAD	NAD
Location:	Roof Section 10 - Bottom Layer Felt Paper							
43	FIELD - 022A	22	0.318	89.6	4.4	5.8	Chrysotile <0.25	Chrysotile <1.0
Location:	Roof Section 11 - Built Up Roofing							
44	FIELD - 022B	22	0.580	69.1	15.3	15.3	Chrysotile <0.25	Chrysotile <1.0
Location:	Roof Section 11 - Built Up Roofing							
45	FELT - 023A	23	0.237	80.6	11.0	8.4	NAD	NAD
Location:	Roof Section 11 - Bottom Layer Felt Paper							
46	FELT - 023B	23	0.172	73.3	12.8	14.0	NAD	NAD
Location:	Roof Section 11 - Bottom Layer Felt Paper							
47	INS - 024A	24	—	—	—	—	NAD	NA
Location:	Roof Section 11 - Roofing Deck Insulation (White)							
48	INS - 024B	24	—	—	—	—	NAD	NA
Location:	Roof Section 11 - Roofing Deck Insulation (White)							

See Reporting notes on last page

**Table I**  
**Summary of Bulk Asbestos Analysis Results**  
 14-124; TD Development, LLC; Former Beech Nut Facility, 102 Church Street, Canajoharie, New York 13317

AmeriSci Sample #	Client Sample#	HG Area	Sample Weight (gram)	Heat Sensitive Organic %	Acid Soluble Inorganic %	Insoluble Non-Asbestos Inorganic %	** Asbestos % by PLM/DS	** Asbestos % by TEM
49	FIELD - 025A	25	0.464	77.8	11.6	9.1	Chrysotile <0.25	Chrysotile 1.5
	Location: Roof Section 12 - Built Up Roofing							
50	FIELD - 025B	25	0.395	76.5	11.4	12.2	Chrysotile <0.25	NA/PS
	Location: Roof Section 12 - Built Up Roofing							
51	FELT - 026A	26	0.338	74.9	11.8	13.3	NAD	NAD
	Location: Roof Section 12 - Bottom Layer Felt Paper							
52	FELT - 026B	26	0.367	69.5	14.2	16.3	NAD	NAD
	Location: Roof Section 12 - Bottom Layer Felt Paper							
53	INS - 027A	27	—	—	—	—	NAD	NA
	Location: Roof Section 12 - Roofing Deck Insulation (White)							
54	INS - 027B	27	—	—	—	—	NAD	NA
	Location: Roof Section 12 - Roofing Deck Insulation (White)							

Analyzed by: Marik Peysakhov

; Date Analyzed 5/30/2014

\*\*Quantitative Analysis (Semi/Full); Bulk Asbestos Analysis - PLM by EPA 600/M4-82-020 per 40 CFR or ELAP 198.1 for New York friable samples or ELAP 198.6 for New York NOB samples; TEM (Semi/Full) by EPA 600/R-93/116 (not covered by NVLAP Bulk accreditation) or ELAP 198.4; for New York samples; NAD = no asbestos detected during a quantitative analysis; NA = not analyzed; Trace = <1%; Quantitation for beginning weights of <0.1 grams should be considered as qualitative only; Qualitative Analysis: Asbestos analysis results of "Present" or "NVA = No Visible Asbestos" represents results for Qualitative PLM or TEM Analysis only (no accreditation coverage available from any regulatory agency for qualitative analyses); AIHA Lab # 102843, NVLAP Lab Code 200546-0, NYSDOH ELAP Lab ID#11480.

Warning Note: PLM limitation, only TEM will resolve fibers <0.25 micrometers in diameter. TEM bulk analysis is representative of the fine grained matrix material and may not be representative of non-uniformly dispersed debris for which PLM evaluation is recommended (i.e. soils and other heterogenous materials).

Reviewed By: \_\_\_\_\_



214054885

### Asbestos Bulk Sample Chain of Custody

Project No: 14-124  
 Client: TD Development, LLC  
 Address: Former Beech Nut Facility  
 102 Church Street, Canajoharie  
 New York 13317

AECC Contact: Bryan Bowers  
 Office Phone: 315-432-9400  
 Office Fax: 315-432-9405  
 E-mail: labdata@aeccgroup.com

Sample ID	Location	Description	Report Results As
FIELD-001A,B	Roof Section 1	Built-Up Roofing	% Asbestos
FELT-002A,B	Roof Section 1	Bottom Layer Felt Paper	% Asbestos
INS-003A,B	Roof Section 1	Roofing Deck Insulation (White)	% Asbestos
FIELD-004A,B	Roof Section 2	Built-Up Roofing	% Asbestos
FELT-005A,B	Roof Section 2	Bottom Layer Felt Paper	% Asbestos
INS-006A,B	Roof Section 2	Roofing Deck Insulation (White)	% Asbestos
FIELD-007A,B	Roof Section 3	Built-Up Roofing	% Asbestos
FELT-008A,B	Roof Section 3	Bottom Layer Felt Paper	% Asbestos
FIELD-009A,B	Roof Section 4	Built-Up Roofing	% Asbestos
FELT-010A,B	Roof Section 4	Bottom Layer Felt Paper	% Asbestos
INS-011A,B	Roof Section 4	Roofing Deck Insulation (White)	% Asbestos
FIELD-012A,B	Roof Section 8	Built-Up Roofing	% Asbestos
INS-013A,B	Roof Section 8	Roofing Deck Insulation (White)	% Asbestos
FIELD-014A,B	Roof Section 6	Built-Up Roofing	% Asbestos
FELT-015A,B	Roof Section 6	Bottom Layer Felt Paper	% Asbestos
INS-016A,B	Roof Section 6	Roofing Deck Insulation (White)	% Asbestos
FIELD-017A,B	Roof Section 7	Built-Up Roofing	% Asbestos
FIELD-018A,B	Roof Section 9	Built-Up Roofing	% Asbestos

- Analyzing Sequence:
- 1 - Separate layers/mastics for individual analysis, if applicable.
  - 2 - Determine method of analysis for PLM (198.1 or 198.6).
  - 3 - If the PLM NOB result is equal to or greater than 1% asbestos, testing of material is complete.  
If the PLM NOB result is less than 1% asbestos, please analyze utilizing TEM.
  - 4 - If submitted in series (A, B, C), please stop at first positive.
  - 5 - Report results as % Asbestos via e-mail.

Sample Turnaround Time: 5 DAY Verbal To: Phone:

Sampled By: <i>Nick Allen</i>	Date: 5/23/14
Shipped By:	Date:
Received By Lab: <i>Lori Sullivan/Lori Sullivan</i>	Date: 5/27/14 10:32
Results e-mailed By:	Date:

### Asbestos Bulk Sample Chain of Custody

Project No. 14-124  
 Client TD Development, LLC  
 Address Former Beech Nut Facility  
102 Church Street, Canajoharie  
New York 13317

AECC Contact: Bryan Bowers  
 Office Phone: 315-432-9400  
 Office Fax: 315-432-9405  
 E-mail: labdata@aeccgroup.com

Sample ID	Location	Description	Report Results As
HMOP-019A,B	Roof Section 9	Bottom Layer Hot Mop	% Asbestos
FIELD-020A,B	Roof Section 10	Built-Up Roofing	% Asbestos
FELT-021A,B	Roof Section 10	Bottom Layer Felt Paper	% Asbestos
FIELD-022A,B	Roof Section 11	Built-Up Roofing	% Asbestos
FELT-023A,B	Roof Section 11	Bottom Layer Felt Paper	% Asbestos
INS-024A,B	Roof Section 11	Roofing Deck Insulation (White)	% Asbestos
FIELD-025A,B	Roof Section 12	Built-Up Roofing	% Asbestos
FELT-026A,B	Roof Section 12	Bottom Layer Felt Paper	% Asbestos
INS-027A,B	Roof Section 12	Roofing Deck Insulation (White)	% Asbestos
			% Asbestos
			% Asbestos
			% Asbestos
			% Asbestos
			% Asbestos
			% Asbestos
			% Asbestos
			% Asbestos
			% Asbestos
			% Asbestos

Analyzing Sequence: 1 - Separate layers/mastics for individual analysis, if applicable.  
 2 - Determine method of analysis for PLM (198.1 or 198.6).  
 3 - If the PLM NOB result is equal to or greater than 1% asbestos, testing of material is complete.  
     If the PLM NOB result is less than 1% asbestos, please analyze utilizing TEM.  
 4 - If submitted in series (A, B, C), please stop at first positive.  
 5 - Report results as % Asbestos via e-mail.

Sample Turnaround Time: 5 DAY      Verbal To: \_\_\_\_\_      Phone: \_\_\_\_\_

Sampled By: <u>Nancy Carter</u>	Date: <u>5/23/14</u>
Shipped By: _____	Date: _____
Received By Lab: <u>Lori Sullivan/Lori Sullivan</u>	Date: <u>5/27/14</u> <u>10:32</u>
Results e-mailed By: _____	Date: _____

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## **ATTACHMENT C**

### **FIGURE 1**

## PLM Bulk Asbestos Report

Asbestos & Environmental Consulting C	Date Received	05/27/14	AmeriSci Job #	214054885
Attn: Bryan Bowers	Date Examined	05/29/14	P.O. #	
6308 Fly Road	ELAP #	11480	Page	1 of 10
East Syracuse, NY 13057	RE: 14-124; TD Development, LLC; Former Beech Nut Facility, 102 Church Street, Canajoharie, New York 13317			

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
FIELD - 001A 1 Location: Roof Section - Built Up Roofing	214054885-01	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 0.6 %			
FIELD - 001B 1 Location: Roof Section - Built Up Roofing	214054885-02	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 0.4 %			
FELT - 002A 2 Location: Roof Section 1 - Bottom Layer Felt Paper	214054885-03	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 0.5 %			
FELT - 002B 2 Location: Roof Section 1 - Bottom Layer Felt Paper	214054885-04	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Chrysotile <0.25 % pc Other Material: Non-fibrous 1.3 %			
INS - 003A 3 Location: Roof Section 1 - Roofing Deck Insulation (White)	214054885-05	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
Analyst Description: White, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Cellulose 1 %, Non-fibrous 99 %			

Client Name: Asbestos &amp; Environmental Consulting Corp.

**PLM Bulk Asbestos Report**14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
INS - 003B 3	214054885-06 Location: Roof Section 1 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 1 %, Non-fibrous 99 %			
FIELD - 004A 4	214054885-07 Location: Roof Section 2 - Built Up Roofing	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 48.4 %			
FIELD - 004B 4	214054885-08 Location: Roof Section 2 - Built Up Roofing	Yes	1.6 % <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile 1.6 % <b>Other Material:</b> Non-fibrous 34.2 %			
FELT - 005A 5	214054885-09 Location: Roof Section 2 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.3 %			
FELT - 005B 5	214054885-10 Location: Roof Section 2 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.5 %			
INS - 006A 6	214054885-11 Location: Roof Section - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose Trace, Non-fibrous 100 %			

Client Name: Asbestos &amp; Environmental Consulting Corp.

**PLM Bulk Asbestos Report**14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
INS - 006B 6	214054885-12 Location: Roof Section - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose Trace, Non-fibrous 100 %			
FIELD - 007A 7	214054885-13 Location: Roof Section 3 - Built Up Roofing	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 12 %			
FIELD - 007B 7	214054885-14 Location: Roof Section 3 - Built Up Roofing	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 8.3 %			
FELT - 008A 8	214054885-15 Location: Roof Section 3 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.8 %			
FELT - 008B 8	214054885-16 Location: Roof Section 3 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 1.6 %			
FIELD - 009A 9	214054885-17 Location: Roof Section 4 - Built Up Roofing	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 5.1 %			

See Reporting notes on last page

Client Name: Asbestos &amp; Environmental Consulting Corp.

**PLM Bulk Asbestos Report**14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
FIELD - 009B 9 Location: Roof Section 4 - Built Up Roofing	214054885-18	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 0.3 %			
FELT - 010A 10 Location: Roof Section 4 - Bottom Layer Felt Paper	214054885-19	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 0.3 %			
FELT - 010B 10 Location: Roof Section 4 - Bottom Layer Felt Paper	214054885-20	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 3.7 %			
INS - 011A 11 Location: Roof Section 4 - Roof Decking Insulation (White)	214054885-21	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
Analyst Description: Light Brown, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Cellulose 5 %, Non-fibrous 95 %			
INS - 011B 11 Location: Roof Section 4 - Roof Decking Insulation (White)	214054885-22	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
Analyst Description: Light Brown, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Cellulose 5 %, Non-fibrous 95 %			
FIELD - 012A 12 Location: Roof Section 8 - Built Up Roofing	214054885-23	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Chrysotile <0.25 % pc Other Material: Non-fibrous 5 %			

Client Name: Asbestos &amp; Environmental Consulting Corp.

**PLM Bulk Asbestos Report**14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
FIELD - 012B 12 Location: Roof Section 8 - Built Up Roofing	214054885-24	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 13.6 %			
INS - 013A 13 Location: Roof Section 8 - Roofing Deck Insulation (White)	214054885-25	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> Light Brown, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 2 %, Non-fibrous 98 %			
INS - 013B 13 Location: Roof Section 8 - Roofing Deck Insulation (White)	214054885-26	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 5 %, Non-fibrous 95 %			
FIELD - 014A 14 Location: Roof Section 6 - Built Up Roofing	214054885-27	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 3.5 %			
FIELD - 014B 14 Location: Roof Section 6 - Built Up Roofing	214054885-28	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 18.3 %			
FELT - 015A 15 Location: Roof Section 6 - Bottom Layer Felt Paper	214054885-29	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 3.1 %			

**PLM Bulk Asbestos Report**

14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
FELT - 015B 15 Location: Roof Section 6 - Bottom Layer Felt Paper	214054885-30	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.4 %			
INS - 016A 16 Location: Roof Section 6 - Roofing Deck Insulation (White)	214054885-31	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 5 %, Non-fibrous 95 %			
INS - 016B 16 Location: Roof Section 6 - Roofing Deck Insulation (White)	214054885-32	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 5 %, Non-fibrous 95 %			
FILED - 017A 17 Location: Roof Section 7 - Built Up Roofing	214054885-33	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 4.2 %			
FILED - 017B 17 Location: Roof Section 7 - Built Up Roofing	214054885-34	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 6.9 %			
FIELD - 018A 18 Location: Roof Section 9 - Built Roofing	214054885-35	Yes	2.3 % (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile 2.3 % <b>Other Material:</b> Non-fibrous 10.3 %			

Client Name: Asbestos &amp; Environmental Consulting Corp.

**PLM Bulk Asbestos Report**14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
FIELD - 018B 18	214054885-36 Location: Roof Section 9 - Built Roofing		NA/PS
Analyst Description: Bulk Material Asbestos Types: Other Material:			
HMOP - 019A 19	214054885-37 Location: Roof Section 9 - Bottom Layer Hot Mop	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 0.4 %			
HMOP - 019B 19	214054885-38 Location: Roof Section 9 - Bottom Layer Hot Mop	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 0.4 %			
FIELD - 020A 20	214054885-39 Location: Roof Section 10 - Built Up Roofing	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 64.9 %			
FIELD - 020B 20	214054885-40 Location: Roof Section 10 - Built Up Roofing	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 61.9 %			
FELT - 021A 21	214054885-41 Location: Roof Section 10 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
Analyst Description: Black, Homogeneous, Non-Fibrous, Bulk Material Asbestos Types: Other Material: Non-fibrous 0.3 %			

**PLM Bulk Asbestos Report**

14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
FELT - 021B 21 Location: Roof Section 10 - Bottom Layer Felt Paper	214054885-42	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 0.5 %			
FIELD - 022A 22 Location: Roof Section 11 - Built Up Roofing	214054885-43	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 6 %			
FIELD - 022B 22 Location: Roof Section 11 - Built Up Roofing	214054885-44	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 15.5 %			
FELT - 023A 23 Location: Roof Section 11 - Bottom Layer Felt Paper	214054885-45	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 8.4 %			
FELT - 023B 23 Location: Roof Section 11 - Bottom Layer Felt Paper	214054885-46	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 14 %			
INS - 024A 24 Location: Roof Section 11 - Roofing Deck Insulation (White)	214054885-47	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 2 %, Non-fibrous 80 %			

**PLM Bulk Asbestos Report**

14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

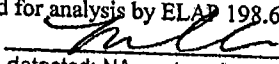
Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
INS - 024B 24	214054885-48 Location: Roof Section 11 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 2 %, Non-fibrous 98 %			
FIELD - 025A 25	214054885-49 Location: Roof Section 12 - Built Up Roofing	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 10.6 %			
FIELD - 025B 25	214054885-50 Location: Roof Section 12 - Built Up Roofing	Yes	Trace (<0.25 % pc) <sup>1</sup> (EPA 400 PC) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> Chrysotile <0.25 % pc <b>Other Material:</b> Non-fibrous 12.2 %			
FELT - 026A 26	214054885-51 Location: Roof Section 12 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 13.3 %			
FELT - 026B 26	214054885-52 Location: Roof Section 12 - Bottom Layer Felt Paper	No	NAD (by NYS ELAP 198.6) by Karol H. Lu on 05/29/14
<b>Analyst Description:</b> Black, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Non-fibrous 16.3 %			
INS - 027A 27	214054885-53 Location: Roof Section 12 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
<b>Analyst Description:</b> White, Homogeneous, Non-Fibrous, Bulk Material <b>Asbestos Types:</b> <b>Other Material:</b> Cellulose 5 %, Non-fibrous 95 %			

**PLM Bulk Asbestos Report**14-124; TD Development, LLC; Former Beech Nut Facility, 102  
Church Street, Canajoharie, New York 13317

Client No. / HGA	Lab No.	Asbestos Present	Total % Asbestos
INS - 027B 27	214054885-54 Location: Roof Section 12 - Roofing Deck Insulation (White)	No	NAD (by NYS ELAP 198.1) by Karol H. Lu on 05/28/14
Analyst Description: White, Homogeneous, Non-Fibrous, Bulk Material			
Asbestos Types:			
Other Material: Cellulose 2 %, Non-fibrous 98 %			

**Reporting Notes:**

- (1) Sample prepared for analysis by ELAP 198.6 method

Analyzed by: Karol H. Lu 

\*NAD/NSD =no asbestos detected; NA =not analyzed; NA/PS=not analyzed/positive stop; PLM Bulk Asbestos Analysis by EPA 600/M4-82-020 per 40 CFR 763 (NVLAP Lab Code 200546-0), ELAP PLM Method 198.1 for NY friable samples, which includes the identification and quantitation of vermiculite or 198.6 for NOB samples or EPA 400 pt ct by EPA 600/M4-82-020 (NY ELAP Lab ID11480); Note:PLM is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically bound materials. NAD or Trace results by PLM are inconclusive, TEM is currently the only method that can be used to determine if this material can be considered or treated as non asbestos-containing in NY State (also see EPA Advisory for floor tile, FR 59,146,38970,8/1/84) National Institute of Standards and Technology Accreditation requirements mandate that this report must not be reproduced except in full without the approval of the lab. This PLM report relates ONLY to the items tested. AIHA Lab # 102843, RI Cert#AAL-094, CT Cert#PH-0186, Mass Cert#AA000054.

Reviewed By: \_\_\_\_\_

END OF REPORT \_\_\_\_\_



New York State Department of Labor  
Andrew M. Cuomo, Governor  
Peter M. Rivera, Commissioner

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June 6, 2014

AECC  
6308 Fly Road  
East Syracuse, NY 13057

RE: File No. 14-0590

Dear Sir/Madam:

**STATE OF NEW YORK  
DEPARTMENT OF LABOR  
DIVISION OF SAFETY AND HEALTH**

The attached is a copy of Decision, dated, 6/6/2014, which I have compared with the original filed in this office and which I DO HEREBY CERTIFY to be a correct transcript of the text of the said original.

If you are aggrieved by this decision you may appeal within 60 days from its issuance to the Industrial Board of Appeals as provided by Section 101 of the Labor Law. Your appeal should be addressed to the Industrial Board of Appeals, Empire State Plaza, Agency Building 2, 20<sup>th</sup> Floor, Albany, New York, 12223 as prescribed by its Rules and Procedure, a copy of which may be obtained upon request.

WITNESS my hand and the seal of the  
NYS Department of Labor, at the City of  
Albany, on this day of 6/6/2014.

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Edward A. Smith, P.E.  
Senior Safety and Health Engineer  
Engineering Services Unit

MW

STATE OF NEW YORK  
DEPARTMENT OF LABOR  
STATE OFFICE BUILDING CAMPUS  
ALBANY, NEW YORK 12240-0100

Variance Petition

of

Asbestos & Environmental Consulting Corporation (AECC)  
Petitioner's Agent

On Behalf Of

TD Development, LLC  
Petitioner

in re

Premises: Former Beech Nut Facility  
68 Church Street  
Canajoharie, NY 13317

Interior Friable and Non-friable Removals  
and Cleanup

File No. 14-0590

DECISION

Cases 1-8

ICR 56

The Petitioner, pursuant to Section 30 of the Labor Law, having filed Petition No. 14-0590 on June 4, 2014 with the Commissioner of Labor for a variance from the provisions of Industrial Code Rule 56 as hereinafter cited on the grounds that there are practical difficulties or unnecessary hardship in carrying out the provisions of said Rule; and the Commissioner of Labor having reviewed the submission of the petitioner dated May 15, 2014; and

Upon considering the merits of the alleged practical difficulties or unnecessary hardship and upon the record herein, the Commissioner of Labor does hereby take the following actions:

Case No. 1	ICR 56-4.8(a)
Case No. 2	ICR 56-7.8(a)(1)
Case No. 3	ICR 56-7.8(a)(11)
Case No. 4	ICR 56-8.9(g)
Case No. 5	ICR 56-9.2(d)
Case No. 6	ICR 56-11.8(b)(4)(iii)
Case No. 7	ICR 56-11.5(b)(1)
Case No. 8	ICR 56-11.6(c)

**VARIANCE GRANTED.** The Petitioner's proposal for removal and cleanup of 13,000 LF of ACM thermal system insulation, 150,000 SF of ACM roofing materials, 3,300 SF of ACM floor tile and 360 SF of ACM ceiling tile at the above premises and as listed in accordance with the attached 7-page stamped copy of the Petitioner's submittal is accepted; subject to the Conditions noted below:

#### **THE CONDITIONS**

1. A full time independent project monitor shall be on-site to observe the abatement contractor's work practices and to ensure that no visible emissions are generated during the removal and cleanup activities. If visible emissions are observed, work practices shall be altered according to the project monitor's recommendations.
2. Non-friable ACM floor tile removals shall be in full accordance with ICR 56-11.7 and the variance petition.
3. The removal of the non-friable ACM roofing material may be removed by mechanical means as proposed in the variance petition. All other applicable provisions of ICR 56-11.4 and ICR 56-11.6 shall be followed for the pre-demolition removal of all ACM materials.

#### **Remote Personal Decontamination Units**

4. Remote Personal Decontamination Units must be located on-site and within 50 foot of the structure that is subject to abatement. These enclosure systems shall be removed only after satisfactory clearance air monitoring results have been achieved or the abatement project is complete. The walkway from the regulated abatement work area to the decontamination system or next work area shall have a cleared pathway. This walk way will be delineated and separated from non-certified personnel access.
5. Each restricted area shall have an attached air lock within which workers shall remove their outer suit, wipe off their inner suit and don a clean outer suit prior to proceeding to another work area or to the remote decontamination unit over a walk way as defined above.

6. If remote decontamination units are to be used, an airlock as defined in Subpart 56-7.5(b) (11) of this Code Rule shall be constructed at the entrance to each restricted area, and shall be large enough to serve as a changing area. Within the airlock, workers shall remove their outer suit, wipe off their inner suit and don a clean outer suit prior to proceeding to another work area or to the remote personal decontamination unit over a walk way as defined above. The airlock/changing area shall not be used as a waste storage area.
7. Waste decontamination shall comply with ICR 56-7.5(f).
8. The restricted areas, regulated abatement work areas, decontamination units, airlocks, and dumpster areas shall be cordoned off at a distance of twenty-five feet (25'), and shall remain vacated except for certified workers until satisfactory clearance air monitoring results have been achieved or the abatement project is complete. These areas shall have Signage posted in accordance with Subpart 56-8.1(b) of this Code Rule.

#### **Secure the Work Site**

9. The entire controlled demolition area and all surrounding portions of the site to be utilized for demolition cleanup, staging areas and regulated abatement work areas, shall be enclosed within a barrier or fence (orange construction fence or snow fence) at a distance of twenty-five (25'). The intent of this barrier is to define the restricted area at the work site, alert the public to the asbestos work and associated hazards, and to prevent unauthorized entry onto the work site.
10. Entry/Exit of all persons and equipment shall be through one designated and secure "doorway" in the barrier or fence, which shall provide an adequate and appropriate means of egress from the work site.
11. Signage in accordance with the requirements of ICR 56-7.4(c) shall be posted on the exterior of the work site boundary fence/barrier, to warn the public of the asbestos hazard.

#### **Establishment of Regulated Areas**

12. The regulated work areas, decontamination units, airlocks, and dumpster areas shall be cordoned off at a distance of twenty-five feet (25') where possible, and shall remain vacated except for certified workers until satisfactory clearance air monitoring results have been achieved or the abatement project is complete. These areas shall have Signage posted in accordance with Subpart 56-7.4(c) of this Code Rule. For areas where twenty-five feet isn't possible, the areas shall be cordoned off as practical, and a daily abatement air sample shall be included in the vicinity of the barrier.

### **Wrap and Cut Removals**

13. The full time on-site Project Monitor will be responsible to determine if pipe/fitting insulation or other thermal system insulations is too damaged to perform wrap-and-cut or glovebag operations. Any thermal system insulation that is significantly damaged and will likely be disturbed during wrapping or glovebag installation, shall require gross removal within a negative pressure enclosure as per the conditions of this variance. All failures of the abatement contractor to comply with the project monitor's determination regarding damage shall be immediately reported by the project monitor to the local district of the asbestos control bureau.
14. Abandoned pipe/duct/conduit wrap and cut removals shall be in full accordance with ICR 56-11.8 and the variance petition
15. Under areas where ACM is scheduled for negative pressure glovebag operations without a tent enclosure, a dropcloth, made of 6 mil fire retardant polyethylene sheeting, shall be placed below the material to be removed to prevent spread of any ACM remnants. This dropcloth shall be a minimum of 10 feet wide with an additional 10-ft. of width for every 20 feet in height above the floor/ground level where removal work will take place. This dropcloth shall be removed and containerized following removal of the glovebags or abandoned piping, prior to the cleaning stage. All remnants observed on the dropcloth shall be collected and immediately bagged or containerized for disposal as ACM.
16. After abatement of the asbestos and asbestos debris, all plastic sheeting and tape will be treated as contaminated material and properly disposed of as asbestos waste at the end of the project.

### **Negative Air Shutdown**

17. When negative air machines are shut down at the end of each work day, the negative air machines shall continue to run for a minimum of thirty (30) minutes following completion of all abatement/cleaning activity for the day. Once the thirty (30) minute time period has elapsed, all accesses to the regulated abatement work area shall be sealed airtight, after all workers have exited the work area.
18. When re-establishing the work area in the morning, wait 30 minutes after manometer reads a minimum of -.02" of water pressure differential before entering the work.

**Negative Air Exhaust**

19. Negative pressure ventilation units that cannot be exhausted to the outside of the building or structure shall be directed to an unoccupied, controllable location within the building. This location shall be accessible for the placement of air monitoring equipment as required by the applicable sections of ICR 56. A controllable area shall be defined as an existing, vacant room or an area within a larger space isolated by barrier tape and warning signs. This location shall be adequately sized to accommodate the increase in positive pressure to the area.
20. All openings within 25 feet of the Negative air machine exhaust termination shall be sealed with two layers of fire retardant polyethylene.
21. Banking of negative air ducts terminating inside the building or structure is not allowed. Daily air sampling for the negative air exhausts shall be per exhaust.

**Trailers and Dumpsters**

22. Prior to loading and/or transport of waste from the work site, all waste trailers and dumpsters shall be sealed to ensure air, dust and watertight integrity, utilizing six (6) mil plastic, duct tape and expandable foam sealant as necessary. The waste transporter is responsible for cleaning/decontamination of waste trailers or dumpsters, once the waste has been properly disposed of at the appropriately licensed and permitted landfill.
23. After removal and cleanings are complete and a minimum waiting/drying period has elapsed, an authorized and qualified Project Monitor shall determine if the scope of work was completed and confirm the area is dry and free of visible asbestos debris/residue in accordance with ICR 56-9.1(d)(1). If the area is determined to be acceptable and the aggressive clearance air samples results meet ICR 56-4.11 clearance criteria, the final dismantling of the site may begin.
24. Usage of this variance is limited to those asbestos removals identified in this variance or as outlined in the Petitioner's proposal.

In addition to the conditions required by the above specific variances, the Petitioner shall also comply with the following general conditions:

**GENERAL CONDITIONS**


1. A copy of this DECISION and the Petitioner's proposals shall be conspicuously displayed at the entrance to the personal decontamination enclosure.

2. This DECISION shall apply only to the removal of asbestos-containing materials from the aforementioned areas of the subject premises.
3. The Petitioner shall comply with all other applicable provisions of Industrial Code Rule 56-1 through 56-12.
4. The NYS Department of Labor Engineering Service Unit retains full authority to interpret this variance for compliance herewith and for compliance with Labor Law Article 30. Any deviation to the conditions leading to this variance shall render this variance Null and Void pursuant to 12NYCRR 56-12.2. Any questions regarding the conditions supporting the need for this variance and/or regarding compliance hereto must be directed to the Engineering Services Unit for clarification.
5. This DECISION shall terminate on June 30, 2015.

Date: June 6, 2014

By

PETER M. RIVERA  
COMMISSIONER OF LABOR

  
Edward A. Smith, P.E.  
Senior Safety and Health Engineer

PREPARED BY: Mark G. Wykes, P.E.  
Senior Safety and Health Engineer

REVIEWED BY: Edward A. Smith, P.E.  
Senior Safety and Health Engineer

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**ATTACHMENT A**  
**SKETCH OF NEGATIVE PRESSURIZED GLOVEBAG**

**Site-Specific Variance Petition  
Former Beech-Nut Facility  
68 Church Street, Canajoharie, New York**

**ABATEMENT QUANTITIES & PROPOSED ABATEMENT METHODS**

BUILDING MATERIAL	ESTIMATED QUANTITY	ABATEMENT METHODS
Thermal System Insulation	13,000 LF	Wrap & Cut Procedures, Utilizing Negatively Pressurized Glovebags
Roofing Materials	150,000 SF	RWA Establishment, Remote Decon, Mechanical Cuts, Intact Removal
Floor Tile	3,300 SF	ICR 56 Procedures, Except for Reduced Waiting Periods
Ceiling Tile	360 SF	ICR 56 Procedures, Except for Reduced Waiting Periods

**SECTION 9 – ICR 56 RELIEF SOUGHT**

- 56-4.8(a) - Turnaround Time for Air Sample Analysis (General Provision)
- 56-7.8(1) - Negative Air Pressure Equipment for Continuous Operation (General Provision)
- 56-7.8(a)(11) - Negative Air Exhaust Location (General Provision)
- 56-8.9(g) - Plasticizing Dumpsters/Trailers with Non-Friable ACM (General Provision)
- 56-9.2(d) - Daily Air Samples As Finals (Wrap-and-Cut, Utilizing Neg. Pressure Glovebags)
- 56-11.8(4)(iii) - Wrap & Cut Procedures (Negative Pressure Glovebags)
- 56-11.5(b)(1) - Utilize Controlled Demolition Procedures (without condemnation)
- 56-11.6(c) - Mechanical Removal of Non-ACM Components (Roofing Materials Only)

**SECTION 10 – HARDSHIP DESCRIPTIONS**

**Sample Turnaround** – On days when no work will occur on site (weekend/holidays), then relief is requested from the required 48 hour sample turnaround. On weekend/holidays, the laboratories are not open making meeting such deadlines very difficult. As such, AECC requests relief from 48 hour TAT when weekends/holidays are involved, making sample results due back by the end of the next working shift. At no time, will sample TAT exceed 72 hours.

**Negative Air Operation** – The building is not currently occupied and will not be re-occupied prior to demolition. As such, there are multiple security/safety concerns regarding the continuous operation of negative air equipment and temporary power sources like gas-powered generators. Based on these concerns, we request that the negative air be shut down thirty (30) minutes after the completion of each work shift. Each area shall be sealed and remain sealed until the negative air is re-established for a minimum of thirty (30) minutes prior to the start of the shift each day. This measure provides adequate protection to the health & safety of the general public, while preventing security/safety concerns resulting from fire hazards and/or vandalism/theft that may occur otherwise.

**Site-Specific Variance Petition**  
**Former Beech-Nut Facility**  
**68 Church Street, Canajoharie, New York**

**Negative Air Exhaust Location** – In locations where the exhaust of negative air cannot be directed to the exterior of the building within the required 25 feet, the contractor shall establish a "controlled area" in an adjacent unoccupied space or he shall create an enclosure to receive exhaust. An additional air sample shall be collected at these exhaust locations.

*SEE  
VARIANCE  
6/5/14  
NEW —*

**Relief from Plasticizing Dumpsters for C&D Waste** – Relief from plasticizing requirements for dumpsters/trailers scheduled to receive non-friable building materials that will be disposed of as Construction & Demolition Debris is requested. Facilities receiving Construction & Demolition (C&D) waste/debris will not accept the poly utilized to line the dumpster, creating a significant amount of poly with no appropriate disposal location. *Prior to loading and transport from the work site all waste trailers and dumpsters shall be sealed to ensure air, dust and watertight integrity.*

**Daily Air Samples As Finals** – Due to the nature of the facility and limited power available, it is anticipated that air sampling will be difficult. Therefore, AECC proposes that in locations where relief from negative pressure enclosures is granted (intact component removal) that the most recent set of daily air samples be used as clearance air sampling in combination with a successful Project Monitor visual inspection. Work shall be considered complete when air sample results indicate NYSDOL clearance criteria has been achieved. The areas shall be recleaned and samples collected until the required clearance criteria has been achieved.

**Relief from Tent Enclosures for Glovebag Abatement** – In lieu of the construction of tent enclosures to allow for cuts in ACM insulated pipe, ducts and conduit as necessary to perform wrap and cut procedures, AECC proposes that negative pressure glovebag procedures be utilized instead. This measure will reduce the safety risks associated with trying to install, maintain and safely access negative pressure tent enclosures for the duration of the project as the majority of the ACM insulation removals will be conducted at heights of 80-100 ft.

**Pre-Abatement & Post-Abatement Waiting Periods** – The use of generators for extended periods of time pose a potential fire risk. As such, we would like to propose a 1-hour pre-abatement waiting period and a 2-hour post abatement waiting period for all RWAs, regardless of size or material type (unless ICR 56 provisions require less of a waiting period or no waiting period). The Project Monitor shall verify that the RWA is completely dry prior to conducting any final visual inspections / final air sampling activities.

**Utilize Controlled Demolition Procedures** – AECC proposes that once all friable abatement has been completed (and the removal of all transite and floor tile/mastic), the remainder of the abatement to be conducted involves non-friable ACM (roofing materials, siding materials, caulking, sealants, window glazing applications, etc.). Due to site conditions (dilapidated buildings and elevated heights), attempting to access these materials with personnel and equipment would create significant safety risks. As such, AECC proposes that in lieu of abatement exterior non-friable materials, these materials would be handled in a manner consistent with Controlled-Demolition Procedures as outlined in 56-11.5. This measure provides adequate protection to the health and safety of the general public while eliminating the safety risks associated with utilizing abatement personnel to perform manual removal.

**Mechanical Separation of Roofing** – It is anticipated that the contractor may encounter ACM that cannot be separated from the roof deck in its entirety and safe access to some locations present significant safety concerns for abatement personnel. Therefore in these locations we

**Site-Specific Variance Petition  
Former Beech-Nut Facility  
68 Church Street, Canastota, New York**

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propose that the contractor mechanically remove the non-friable roofing system, materials are brought to the ground within a "Regulated Work Area" and separated for disposal by certified personnel. This measure meets the intent of ICR 56 while preventing significant safety hazards associated with placing abatement personnel on the roofing system

**SECTION 11 – PROPOSED ABATEMENT METHODS**

**General Conditions**

1. A full time Project Monitor shall be on site for all the project activities to ensure compliance with the conditions of this variance.
2. An appropriate project-sized attached personal/waste decontamination unit shall be established and utilized for all friable abatement work areas. One centrally located personal & waste decontamination unit shall be established for non-friable abatement work areas for the duration of the project.
3. Barrier tape and signage shall be installed at required distances, in locations where 25 feet cannot be accomplished, barrier tape and signage shall be installed at a maximum distance feasible.
4. Negative air shall be established in accordance with ICR 56, including the installation of a manometer in locations as required by ICR 56. In locations where negative air exhaust cannot be directed to the exterior of the building or space restrictions would create need to exhaust tubing over twenty-five (25) ft. in length, the contractor shall exhaust to an unoccupied "controlled location" within the building. An additional air sample shall be collected from this location for the duration of abatement activities. In the event no natural space occurs to exhaust negative air into a "controlled area" then the contractor may construct an enclosure utilizing adequately supported 6 mil poly.
5. At the completion of the shift, the area(s) shall be sealed and the negative air shut down a minimum of 30 minutes following completion of the shift. Work shall not resume until negative air has been re-established for a minimum of 30 minutes and the supervisor has inspected all barriers.
6. Dumpsters utilized for disposal of non-friable ACM that meet the criteria for disposal as construction & demolition (C&D) debris shall not require plasticizing. All other waste containers containing ACM shall be plasticized in accordance with ICR 56.
7. A one (1) hour pre-abatement waiting period and a two (2) hour post abatement waiting period for all RWAs, regardless of size or material type. The Project Monitor shall verify that the RWA is completely dry prior to conducting any final visual inspections / final air sampling activities.

**Site-Specific Variance Petition  
Former Beech-Nut Facility  
68 Church Street, Canajoharie, New York**

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**TSI Removal – Wrap & Cut Procedures, Utilizing Negatively Pressurized Glovebags**

The following work practices are proposed for this portion of the abatement project (reference File No: 12-0063):

1. Barrier tape and signage shall be placed at a distance of 25 feet from the work area or to the extent feasible without restricting exiting/egress activities in the facility. Decontamination facilities shall be utilized and may be remote.
2. Workers shall don PPE during all prep and abatement activities.
3. Abatement work will comply with 56-8.4(a). A single, negatively pressurized glove bag will be utilized for containment purposes.
4. A drop cloth will be placed under the work area to a distance of 10 feet (or to the further extent possible) and the work will be conducted in a manner to limit the disturbance of the insulating materials. The drop cloth shall be made of 6-mil fire retardant polyethylene sheeting.
5. Post abatement / repair activities, the glove bag shall be collapsed in accordance with 56-8.4(a)(7). Any drop cloths shall be bagged and disposed of as ACM waste, prior to the cleaning stage. All remnants observed on the drop cloth shall be collected and immediately bagged or containerized for disposal as ACM.
6. After the removal of the drop cloth, the Contractor shall HEPA vacuum and wet mop the floor areas where the drop cloth was placed to ensure a proper clean-up of the areas.
7. The Supervisor shall document their final visual inspection in their log book, as required by ICR 56 for minor-sized projects.
8. After the glovebag work has been completed, the other provisions of ICR 56 shall apply for the wrap-and-cut work.
9. In lieu of final air sampling, the last day of work-in-progress air sampling shall be utilized for clearance criteria purposes. If all WIP air samples are less than 0.01 f/cc or the background concentrations, the work shall be considered complete.
10. Once the clearance (WIP) air samples have been deemed acceptable, the RWA shall be torn down and all waste shall be disposed of as RACM.

**Controlled Demolition of Buildings with Non-Friable ACM In-Place**

1. Once the friable materials (including transite) have been abated from each building, the Supervisor and Project Monitor shall verify that these materials have been satisfactorily removed from the building before proceeding with the controlled demolition of the building. This review shall be documented by the Supervisor in their project log book.

**Site-Specific Variance Petition  
Former Beech-Nut Facility  
68 Church Street, Canajoharie, New York**

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2. A remote personal/waste decontamination unit shall be established and utilized for the duration of the project. Travel to and from the remote decontamination units shall be via "designated pathways".
3. Barrier tape and signage shall be installed at required distances, in locations where 25 feet cannot be accomplished, barrier tape and signage shall be installed at a maximum distance feasible and an additional sample shall be collected.
4. Once the regulated work area has been established, porous materials discovered within the RWA shall be disposed of as contaminated waste. Non-porous items within the work area may be decontaminated and removed from the work area, following a satisfactory Project Monitor visual inspection.
5. The Contractor shall implement wet methods during all abatement activities. Fire hoses, misting machines, and/or fogging machines shall be utilized to prevent dust emissions during demolition activities.
6. In lieu of the collection of clearance air samples (and after a satisfactory Project Monitor visual inspection has been completed), the last set of daily air samples (contingent on them meeting NYSDOL clearance criteria) shall be utilized as clearance air samples.
7. Post receipt of satisfactory clearance air samples, the Contractor will demobilize and all RWA waste used for critical barriers, etc. shall be disposed of as RACM.

If you have any questions pertaining to this report, please contact me directly at (315) 432-9400.

Sincerely,  
Asbestos & Environmental Consulting Corporation (AECC)



Bryan Bowers  
NYSDOL Project Designer  
License #03-01952

Attachment A: Sketch of Negative Pressurized Glovebag  
Attachment B: SSV Petition



## *Infinity Enterprises*

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- Asbestos Removal
  - Drying & Dehumidifying
  - Mold Removal & Remediation
  - Waterproofing & Sealing
  - Water Removal
  - Demolition Services
- 

(315) 532-3375

email: [infinityenterprises14@yahoo.com](mailto:infinityenterprises14@yahoo.com)

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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

07/29/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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<b>PRODUCER</b> Gem Agency, Megan B. Peckham 4299 Middle Settlement Rd  New Hartford, NY 13413	<b>CONTACT</b> NAME: Megan Peckham PHONE: (315) 735-1771 FAX: (315) 735-1717 E-MAIL: meg@insurewithgem.com ADDRESS:
<b>INSURED</b> Mark R Lindsley DBA Infinity Enterprises 43 Kelly Rd Fulton, NY 13069	<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: Seneca Specialty INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

## COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSR / WVP	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO. JECT <input type="checkbox"/> LOC		BAG-1029083	4/14/2014	4/14/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COM/OP AGG \$ 1,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <b>EXCESS LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			WC STATUTORY LIMITS \$ OTHER \$ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES - (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

Town of Canajoharie  
 75 Erie Blvd  
 Van Deusenville, NY 13317

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

518-673-5517

CCde / Zoning Dept.

75 ERIE Blvd.

Canajoharie, NY 13317

Attn: Clifton Dorrough

Insurance Certificates for  
B&B Recycling.

If you need anything else  
please call Charlie  
at 918-605-0980.

RODNEY - (334) 343-4662

DEC/22/2014/MON 04:31 PM

FAX No.

P.UUZ



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/22/2014

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<b>PRODUCER</b> <b>COMMERCIAL INSURANCE BROKERS, LLC</b> <b>4200 E. Skelly Dr., Ste. 300</b>  <b>Tulsa OK 74135-3237</b>		<b>CONTACT NAME</b> Michelle Richie <b>PHONE (A/C No. Extn.)</b> (918) 884-2900 <b>FAX (A/C No.)</b> (918) 884-2909 <b>E-MAIL ADDRESS</b> michelle.richie@cibllc.net	
<b>INSURED</b> <b>B&amp;B Recycling, LLC</b> <b>105 W. Birmingham Place</b>  <b>Broken Arrow OK 74011</b>		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A</b> American Mining Insurance <b>NAIC #</b> 15911 <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	

## COVERAGES

CERTIFICATE NUMBER: 14/15 Certificate Excepti

REVISION NUMBER:

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INSR LTR	TYPE OF INSURANCE	ADDL USER	W/O	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>GENERAL LIABILITY</b> <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Per occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
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A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) (If yes, describe under DESCRIPTION OF OPERATIONS below)	V/N		WC01B500072501	9/1/2014	9/1/2015	<input checked="" type="checkbox"/> NO STATUTORY LIMITS <input type="checkbox"/> OTHER CL EACH ACCIDENT \$ 1,000,000 CL DISEASE - EA EMPLOYEE \$ 1,000,000 CL DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

<b>TD Development, LLC</b> <b>720 Eagle View Court</b> <b>Mason, OH 45040</b>	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  <b>AUTHORIZED REPRESENTATIVE</b>  M. Richie/MICHEL
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ACORD 25 (2010/05)

INS025 (201005).01

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<b>INSURED</b> <b>B&amp;B Recycling, LLC</b> <b>105 W. Birmingham Place</b>  <b>Broken Arrow OK 74011</b>		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Mid-Continent Casualty Company <b>NAIC#</b> 23418 <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	

**COVERAGES** **CERTIFICATE NUMBER:** 2014-18 **GL** **REVISION NUMBER:**

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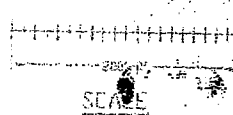
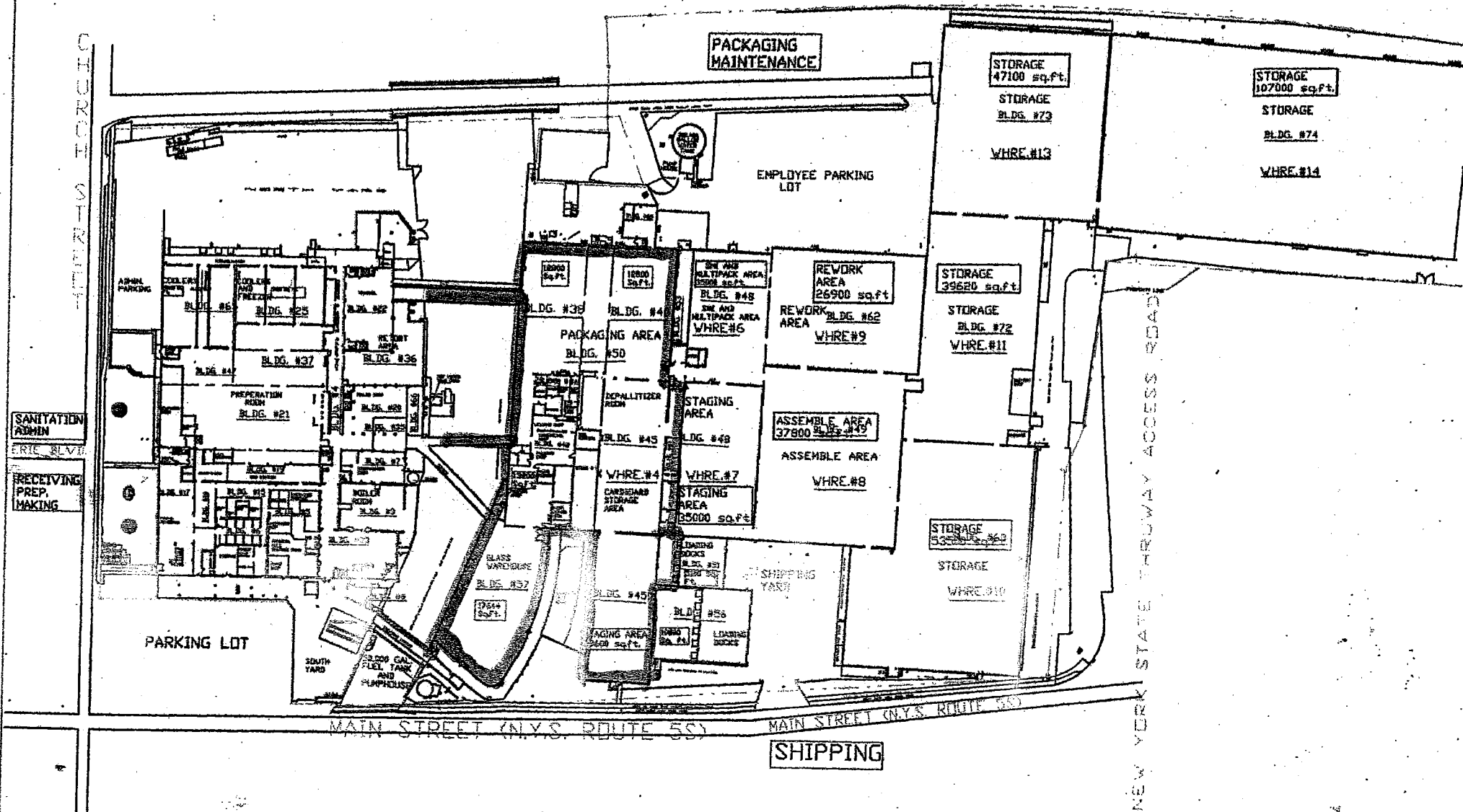
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY					EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Per occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		04GL0000117M7	9/8/2014	9/8/2015	MBD EXP (Any one person) \$ Excluded
						PERSONAL & ADV INJURY \$ 1,000,000
	GENL AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ 2,000,000
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	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Per accident) \$
	ANY AUTO					BODILY INJURY (Per person) \$
	ALL OWNED AUTOS					BODILY INJURY (Per accident) \$
	HIRE AUTOS					PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB					
	EXCESS LIAB					EACH OCCURRENCE \$
						AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED (Mandatory in NH)	<input checked="" type="checkbox"/> Y/N	N/A			NO STATUTORY LIMITS OTHER \$
	DESCRIPTION OF OPERATIONS below					E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
This certificate represents coverage currently in effect and may not be in compliance of any written contract; if applicable.

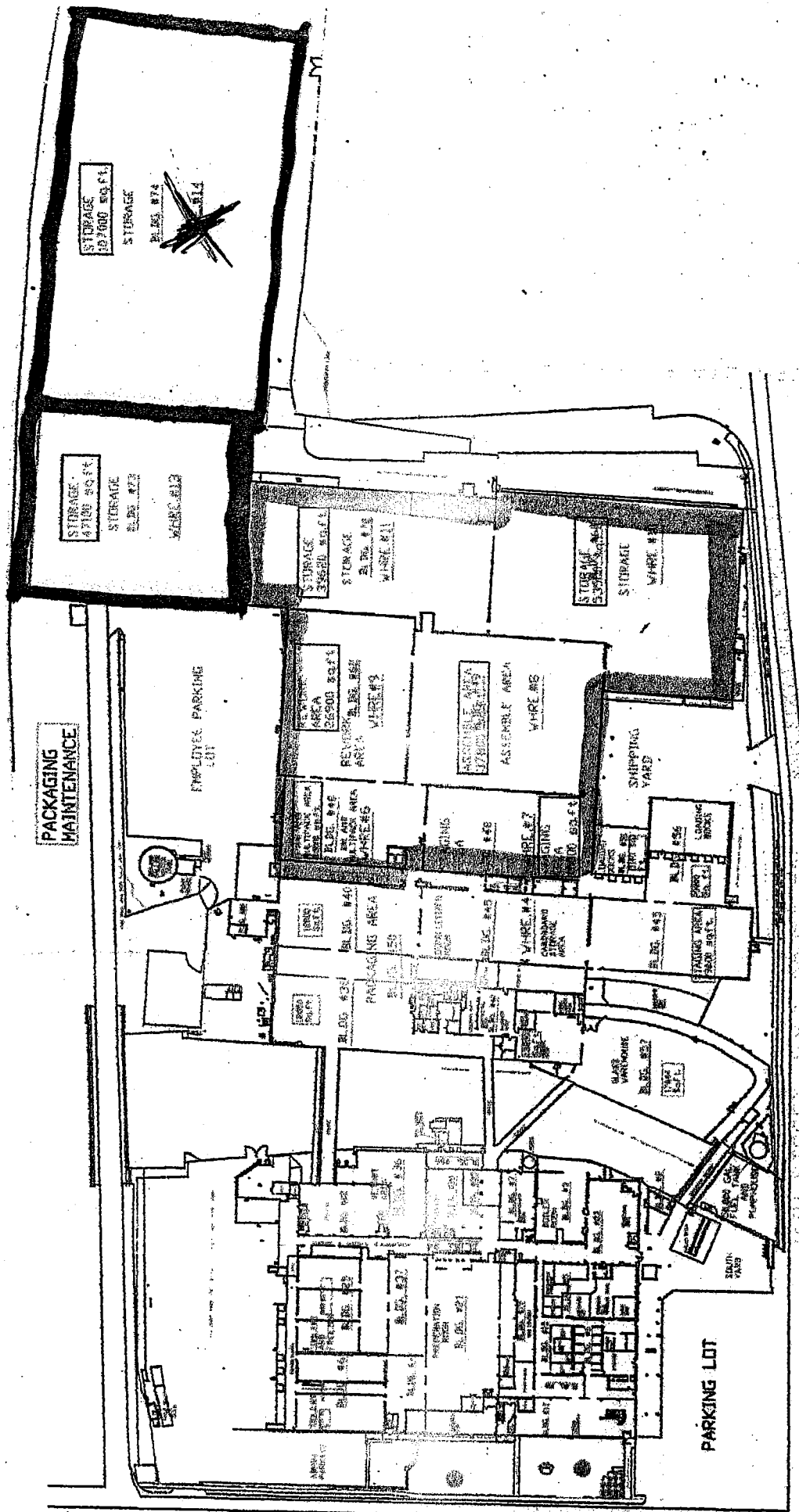
<b>CERTIFICATE HOLDER</b>  <b>TD Development, LLC</b> <b>720 Eagle View Court</b> <b>Mason, OH 45040</b>	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  <b>AUTHORIZED REPRESENTATIVE</b>  <b>B Barton - 124/MICHEL</b>
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# NEW YORK STATE THRUWAY



NO.	DESCRIPTION	DATE
1	SEARCH AND INSPECTION CON	10/1/77
2	PLD PLAN	10/1/77
3	AREA IDENTIFICATION	10/1/77
4	PIPE IDENTIFICATION	10/1/77
5	PIPE IDENTIFICATION	10/1/77



SHIPPING

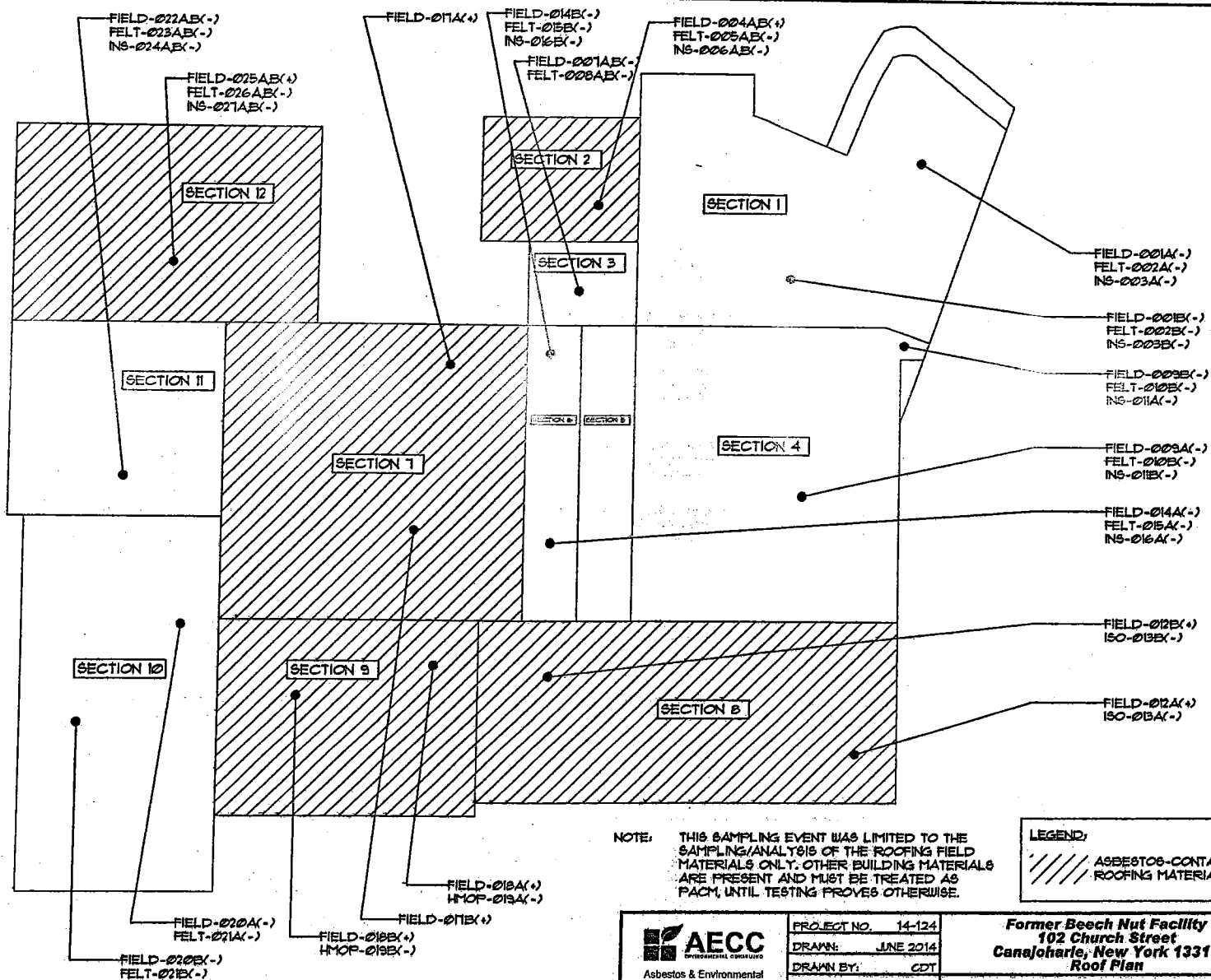
PARKING LOT

SANITATION  
ADMIN

RECEIVING  
PREP.  
PARKING

REMAINING WORK AREAS AS PER CONTRACT 12/3/2014  
 = CLEARED AREAS FOR DEMO AS OF 11/4/2014

NO.	DATE	BY	REVISION
1	12/3/2014	PLT/PLN	AREA IDENTIFICATION
2	11/4/2014	PLT/PLN	DEMOS



NOTE: THIS SAMPLING EVENT WAS LIMITED TO THE SAMPLING/ANALYSIS OF THE ROOFING FIELD MATERIALS ONLY. OTHER BUILDING MATERIALS ARE PRESENT AND MUST BE TREATED AS PACH, UNTIL TESTING PROVES OTHERWISE.

LEGEND:  
 /// ASBESTOS-CONTAINING BUILT-UP ROOFING MATERIALS

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**AECG**  
 Asbestos & Environmental  
 Consulting Corporation  
 6308 Fly Road  
 East Syracuse, NY 13057

PROJECT NO. 14-124  
 DRAWN: JUNE 2014  
 DRAWN BY: GDT  
 CHECKED BY: BB  
 FILE NAME:

**Former Beech Nut Facility**  
**102 Church Street**  
**Canajoharie, New York 13317**  
**Roof Plan**

Limited Asbestos Bulk Sampling Event

FIGURE

1



# CERTIFICATE OF LIABILITY INSURANCE

 DATE (MM/DD/YYYY)  
 07/29/2014

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<b>PRODUCER</b>  Automatic Data Processing Insurance Agency, Inc. 1 Adp Boulevard Roseland, NJ 07068	<b>CONTACT</b> NAME: PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL: ADDRESS:  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: center;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: center;">NAIC#</th> </tr> <tr> <td>INSURER A: The Hartford</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC#	INSURER A: The Hartford		INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC#														
INSURER A: The Hartford															
INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															
<b>INSURED</b>  MARK LINDSLEY 43 Kelly Rd Fulton, NY 13069															

**COVERAGES**
**CERTIFICATE NUMBER: 252857**
**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL/ SUBR INSD/ WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> Y	N/A N	76WEGGE2517	03/25/2014 03/25/2015	X PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> EL EACH ACCIDENT \$ 100,000 EL DISEASE - EA EMPLOYEE \$ 100,000 EL DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

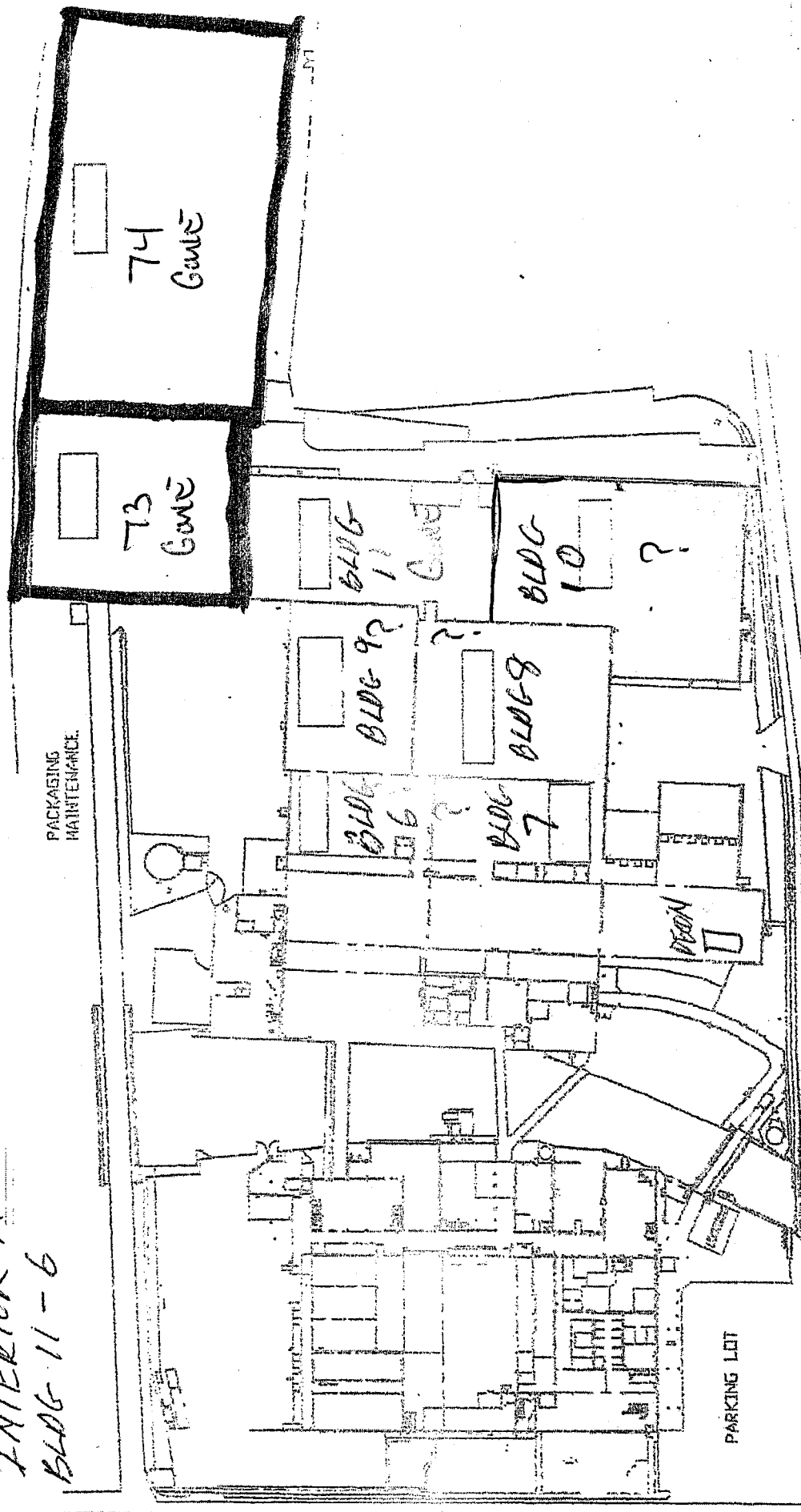
**CERTIFICATE HOLDER**
**CANCELLATION**

Town Of Canajoharie 75 Erie Blvd Canajoharie, NY 13317	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
--	---



19111 - E T W

INTERIOR REMOVAL  
BLDG 11-6



SHIPPING



= REMAINING WORK AREAS AS PER CONTRACT 12/3/2014



= CLEARED AREAS FOR DEMO AS OF 11/4/2014

RECEIVING  
PREP.  
MAKING

RECEIVING  
PREP.  
MAKING

Albany Environmental Consultants, LLC

40 Colvin Avenue Suite 103  
Albany, New York 12206  
Phone: (518) 453-3400  
Fax: (518) 453-3454

September 29, of 2014

NYS DOL - Engineering Services Unit  
Building 12 - Room 154  
State Office Campus  
Albany, NY 12240

RE: Site Specific Variance Petition: 14-0590 Amend  
Form Beech Nut Facility  
Building's #73 & # 74  
68 Church Street  
Canahoharie, New York 13317

Attn: Engineering Staff

1 of 3  
**APPROVED**  
\* with modification  
OCT 17 2014

New York State Dept. of Labor  
Engineering Services Unit

*Mark D. Lykos, P.E.*

On behalf of TD Development, LLC 720 Eagle View Ct Mason, OH 45040 the owner of the building's for the above cited project, we hereby request to amend the Site Specific Variance 14-0590, in order to allow work to proceed in a timely and safe manner. During the site walk through it was noted that all power and water has been cut to the two building address in the site assessment, and that the two building total gross space at 152,000sf and thirteen locations with 1 to 2 inch's of debris in each location, ~~so setting up negative pressure tents and running the flex hose of the negative air to the exterior of the building for each location is not possible we propose to perform all work as listed below.~~

Debris (assumed TSI)	2.5sf over 152,000sf
Dust within 5ft of debris	65sf over 152,00sf

\* Removals shall be performed in  
accordance to ICR 56-11.3(e). Tents  
may be reused as long as they are properly  
cleaned and cleared.

Secure the Work Site & Establishment of Regulated Areas

1. The regulated work area will be occupied by the asbestos contractor, all work will be performed in PPE at all times. The regulated work area drawing, is attached at the back of amendment.
2. The proposed work areas will be completely vacated and cordoned off to the furthest extent possible and restricted to authorized personnel only.
3. For areas where compliance with the twenty five feet (25'), barrier/fence requirement isn't possible, the areas shall be cordoned off to the maximum distance possible, and a daily abatement air sample shall be included within ten feet of the reduced barrier.
4. Signage in accordance with the requirements of ICR 56-7.4(c) shall be posted on the exterior of the work site boundary fence/barrier, to warn the public of the asbestos hazard. Whenever logistics will not permit installation of 25' barrier tape around the parameter, the distance may be reduced as feasible and additional warning signs shall be posted.

Albany Environmental Consultants, LLC

40 Colvin Avenue Suite 103

Albany, New York 12206

Phone: (518) 453-3400

Fax: (518) 453-3454

5. Back ground sampling will not be required, all sampling will pick up at removals one in and one outside each work area.
6. First phase of work to take place: Install small remote decon, install barriers tape and signage only as required by 12NYCRR Part 56.
7. Second phase of work to take place at each location of debris: Hepa Vac. five (5) out in diameter and then wet wipe five (5) out in diameter of sealed concrete floor. Then visual inspect sealed concrete floor for any debris which will be performed by the supervisor and project monitor.
8. Once cleanup of acm debris on all surfaces called out is completed, each area will be taken down.
9. After removals and cleaning is completed, an authorized and qualified project monitor, independent of the abatement contractor, shall determine if the area is dry and free of visible asbestos debris as per 56.9.1(d)(1). If work area is acceptable, and post abatement samples results meet 56.4.11 clearance criteria, final dismantling of the regulated abatement work area may begin. Each set of during will be used as post abatement samples.
10. End of Variance Petition Amendment.

We feel the procedures outlined in the attached work methods will protect the safety and health of the workers and pose no risk of fiber release to the general public.

Very truly yours,

ALBANY ENVIRONMENTAL CONSULTANT, LLC

*Brian K. McLaren*

Brian K. McLaren  
Project Manager

2 of 3  
**APPROVED**  
\* with modification  
OCT 17 2014

New York State Dept. of Labor  
Engineering Services Unit

*Mark D. Lyko, PE*

# AEC LLC

Albany Environmental Consultants, LLC

40 Colvin Avenue Suite 10  
Albany, New York 1220  
Phone: (518) 453-340  
Fax: (518) 453-345

October 31 of, 2014

TD Development  
720 Eagle View Ct  
Mason, OH 45040

Attn: Todd Clifford

Ref: Site Contamination Assessment for Buildings #6 through # 11 Warehouse's at Beechnut Canj. NY

On September 24 of 2014, an asbestos site assessment and recommendation was created using the visual inspection for Buildings #6 through # 1, Warehouse's at Beechnut Canj. NY performed by Brian K. McLaren a AHERA/NYS inspector and designer.

During the site inspection of Building #6 through #11 it was noted that all the TSI pipe insulation was removed from these buildings no tents or signage was in place (meaning the areas were abated, with a project monitors visual inspect and post abatement completed and being below 0.01f/cc, and that there were twenty eight locations with what appeared to be TSI debris the TSI debris was 1 to 2 inch in size in each location, a total of twenty eight location over five buildings far away from where the work clearly took place which in some cases over 50ft. away.

A site plot plan was used to mark each location where the debris can be found, these areas where debris can be found should be cleaned; note that the locations on the plot plan is only for location only it is not to scale. A review of two demo surveys one for the interior areas of the site and one for the roofs and one site assessment had identified other areas within other areas of the warehouse site along with a site av. It is recommended that each section of each warehouse buildings be visual inspected to identify the presents of ACM or ACM debris at a later date, it is also noted that the site AV has been amended to cover the scope of cleanup of buildings # 6 through #11.

Before any work can be performed buildings #6 through #11 this work needs to be performed, the scope of work that is required to be performed fall outside 12 NYCRR Part 56 a site specific variance is required for all cleanup. Once the cleanup is completed the two building can be demo in a safe manner.

The site assessment is based on the visual inspection of the complete interior & exterior of buildings # 6 through #11. There is no health hazardous within the buildings # 6 through #11 at the time of the inspection or the site assessment, the inspection/assessment was performed by Brian K. McLaren a AHERA/NYS inspector and designer.

If any question on the site assessment please feel free to call 518.365-5445.

Very truly yours,

ALBANY ENVIRONMENTAL CONSULTANT, LLC

*Brian K. McLaren*

Brian K. McLaren  
Project Manager

# AEC LLC

Albany Environmental Consultants, LLC

40 Colvin Avenue Suite 10  
Albany, New York 1220  
Phone: (518) 453-340  
Fax: (518) 453-345

September 29 of, 2014

TD Development  
720 Eagle View Ct  
Mason, OH 45040

Attn: Todd Clifford

Ref: Site Contamination Assessment for Buildings #73 & # 74 Warehouse at Beechnut Canj. NY

On September 24 of 2014, an asbestos site assessment and recommendation was created using the visual inspection for Buildings #73 & # 74 Warehouse at Beechnut Canj. NY performed by Brian K. McLaren a AHERA/NYS inspector and designer.

During the site inspection of Building #73 which is 45,000sf & #74 which is 107,000sf it was noted that all the TSI pip insulation was removed from both buildings no tents or signage was in place (meaning the areas were abated, with a project monitors visual inspect and post abatement completed and being below 0.01f/cc), and that there were thirteen locations with what appeared to be TSI debris the TSI debris was 1 to 2 inch in size in each location far away from where the work clearly took place which in some cases over 30ft. away.

A site plot plan was used to mark each location where the debris can be found, these areas where debris can be found should be cleaned note that the locations on the plot plan is only for location only it is not to scale. A review of two demo surveys one for the interior areas of the site and one for the roofs and one site assessment had identified other areas within other areas of the warehouse site along with a site av. It is recommended that each section of each warehouse buildings be visual inspected to identify the presents of ACM or ACM debris at a later dated, it is also noted that the site AV should be amended to cover the spec cleanup of buildings #73 & #74 along with roof removals of the two buildings.

Before any work can be performed buildings #73 & #74 this work needs to be performed, the scope of work that is required to be performed fall outside 12 NYCRR Part 56 a site specific variance is required for all cleanup. Once the cleanup is completed the two building can be demo in a safe manner.

The site assessment is based on the visual inspection of the complete interior & exterior of buildings #73 & # 74. There is no health hazardous within the buildings of #73 & # 74 at the time of the inspection or the site assessment, the inspection/assessment was performed by Brian K. McLaren a AHERA/NYS inspector and designer.

If any question on the site assessment please feel free to call 518.365-5445.

Very truly yours,  
ALBANY ENVIRONMENTAL CONSULTANT, LLC

*Brian K. McLaren*

Brian K. McLaren  
Project Manager

3 of 3  
**APPROVED**  
\* With Modification  
OCT 17 2014

New York State Dept. of Labor  
Engineering Services Unit

*Mark D. Lykos, P.E.*



14 - 0590

Albany Environmental Consultants, LLC

40 Colvin Avenue Suite 10  
Albany, New York 1220  
Phone: (518) 453-340  
Fax: (518) 453-345

September 29, of 2014

NYS DOL - Engineering Services Unit  
Building 12 - Room 154  
State Office Campus  
Albany, NY 12240RE: Site Specific Variance Petition: 14-0590 Amend  
Form Beech Nut Facility  
Building's #73 & # 74  
68 Church Street  
Canahoharie, New York 133171 of 3  
**APPROVED**  
\* with modification  
OCT 17 2014New York State Dept. of Labor  
Engineering Services Unit

Mark D. Lyons, P.E.

Attn: Engineering Staff

On behalf of TD Development, LLC 720 Ridge View Ct Mason, OH 45040 the owner of the building's for the above cited project, we hereby request to amend the Site Specific Variance 14-0590, in order to allow work to proceed in a timely and safe manner. During the site walk through it was noted that all power and water has been cut to the two building address in the site assessment, and that the two building total gross space at 152,000sf and thirteen locations with 1 to 2 inch's of debris in each location, ~~so setting up negative pressure tents and running the floor hose of the negative air to the exterior of the building for each location is not possible we propose to perform all work as listed below.~~

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Dust within 5ft of debris	65sf over 152,000sf

\* Removals shall be performed in  
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may be reused as long as they are properly  
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3. For areas where compliance with the twenty five feet (25'), barrier/fence requirement isn't possible, the areas shall be cordoned off to the maximum distance possible, and a daily abatement air sample shall be included within ten feet of the reduced barrier.
4. Signage in accordance with the requirements of ICR 56-7.4(c) shall be posted on the exterior of the work site boundary fence/barrier, to warn the public of the asbestos hazard. Whenever logistics will not permit installation of 25' barrier tape around the parameter, the distance may be reduced as feasible and additional warning signs shall be posted.

Albany Environmental Consultants, LLC

40 Colvin Avenue Suite 103  
Albany, New York 12204  
Phone: (518) 453-3400  
Fax: (518) 453-3454

5. Back ground sampling will not be required, all sampling will pick up at removals one in and one outside each work area.
6. First phase of work to take place: Install small remote decon, install barriers tape and signage only as required by 12NYCRR Part 56.
7. Second phase of work to take place at each location of debris: Hepa Vac. five (5) out in diameter and then we wipe five (5) out in diameter of sealed concrete floor. Then visual inspect sealed concrete floor for any debris which will be performed by the supervisor and project monitor.
8. Once cleanup of acm debris on all surfaces called out is completed, each area will be taken down.
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Very truly yours,

ALBANY ENVIRONMENTAL CONSULTANT, LLC

*Brian K. McLaren*

Brian K. McLaren  
Project Manager

2 of 3  
**APPROVED**  
\* with modification  
OCT 17 2014

New York State Dept. of Labor  
Engineering Services Unit

*Mark D. Lyko, PE*

3/12/15

VILLAGE OF CANAJOHARIE  
Office of Code Enforcement  
75 Erie Boulevard (518) 673-5516

Application for a Building Permit

Permit No:

3013 R

INSTRUCTIONS

- Please read and complete all sections of application.
- BUILDING PERMIT WILL NOT BE ISSUED UNTIL FEE IS REMITTED
- The Code Enforcement Office shall act upon all applications within a reasonable amount of time. Notice of refusal shall be given to the applicant/owner in writing and will state the reason(s) for denial
- Provide a certified survey map, showing lot lines and buildings on the premises (if applicable to request). Provide a detailed sketch of proposed construction as will appear on parcel. AFTER PERMIT HAS BEEN ISSUED, ANY MODIFICATIONS ALTERATIONS OR ADDITIONS TO PLANNED PROJECT SHALL BE FORWARDED TO THE CODE ENFORCEMENT OFFICE PRIOR TO IMPLEMENTATION OF THE CHANGE, FOR REVIEW BY THIS OFFICE.
- Plans and specifications shall be in accordance with State Education Law, Sections 7307 and 7209. This law requires that the seal and signature of a licensed architect or professional engineer be affixed to all plans except farm buildings, residential buildings of less than 1500 sq. ft. or to alterations costing less than twenty thousand dollars. (The applicant may request that the requirement of plans and specifications be waived where the work being done involves minor alterations or are otherwise unnecessary.)
- No work shall commence until such time that the Code Enforcement Office has issued a building permit. Such permit shall be displayed on the premises throughout the project. Permits shall be valid for six (6) months from date of issuance.
- No new building, described under this permit application, or any part of, shall be used or occupied, until the Code Enforcement Office has issued a Certificate of Occupancy or Certificate of Compliance.

APPLICATION IS HEREBY MADE to the Village of Canajoharie Code Enforcement Office for the issuance of a building permit pursuant to the New York State Fire Prevention and Building Code for the construction of buildings, additions, or alterations or for removal or demolition, as herein described. The applicant agrees to comply with all applicable laws, ordinances and regulations. The applicant further agrees that any certified building inspector, or any officer or employee of the Village of Canajoharie Code Enforcement Department, shall be permitted to enter upon any building, structure or premises for which building permit application has been filed, or a building permit has been issued without interference, and upon reasonable notice and during reasonable working hours.

B&B Recycling  
Please print name

Signature of Applicant Rod Brumley

Address of Applicant 105 W. Birmingham Pl  
Broken Arrow, OK 74011

State of New York

County of \_\_\_\_\_, JSS:

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a notary public, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

334 - 343 - 4662  
Applicant phone number

FAX NUMBER  
(918) 366-8200

68 Church St.  
Address of proposed work  
Canajoharie, NY

(Notary)

Applicant is: ☐ owner ☐ agent ☐ architect ☐ engineer ☐ builder.

Demo ✓

Name and Address of Owner TD DevelopmentName and Address of Applicant if different from Owner B&B Recycling  
105 W. Birmingham Pl, Broken Arrow OK 74011

Proposed Starting Date: \_\_\_\_\_

Proposed Completion Date: \_\_\_\_\_

NATURE OF PROPOSED WORKPRIMARY OCCUPANCYConstruction of new building ☐Single Family Dwelling ☐Addition/Alteration/Repair ☐Two Family Dwelling ☐Sprinkler System ☐Multiple Dwelling ☐ No of units \_\_\_\_\_Demolition of a building ☒Business ☐Construction of a driveway or parking lot ☐Mercantile ☐Enlargement of a driveway or parking lot ☐Industrial ☒Construction of a fence ☐Storage ☐Construction of a swimming pool ☐Assembly ☐Electrical work (all) ☐Other ☐ Specify: \_\_\_\_\_

**NOTE:**  
Site plan  
review is  
required  
for all but  
single-  
family  
dwellings.

Please provide the Name, Address and Phone Number for the following trades:

Contractor/Builder B&B Recycling 334-343-4662  
105 W. Birmingham Pl, Broken Arrow, OK 74011

Electrician \_\_\_\_\_

Plumbing/Heating Contractor \_\_\_\_\_

Engineer or Architect \_\_\_\_\_

Cost of Construction\* \$ \_\_\_\_\_

Red Brumby  
Owner/Applicant Signature3-6-15  
Date

\* COST OF THE PROPOSED WORK IS THE COST A PERSON WOULD EXPECT TO PAY A CONTRACTOR TO PERFORM THE WORK (IT IS NOT THE COST OF MATERIALS ALONE).

# VILLAGE of CANAJOHARIE

Francis E. Avery, Mayor  
75 ERIE BOULEVARD  
CANAJOHARIE, NY 13317

(518) 673-5512 Fax: (518) 673-5517

Ronald O. Dlevendorf, Deputy Mayor  
Jena Coppernoll, Trustee

John Snyder, Trustee  
Stanley Smith, Trustee

## Fax Transmittal Form

To: \_\_\_\_\_ From: Cliff

Date Sent: \_\_\_\_\_ Number of Pages: 4

Phone: \_\_\_\_\_ Fax: 918-366-8209

Reference: \_\_\_\_\_

## Message:

260,735 sq ft. to demo

✓ 1.02

\$ 5,214.70

~~260,735 sq ft. to demo~~  
~~✓ 1.02~~

# VILLAGE of CANAJOHARIE

Francis E. Avery, Mayor

75 ERIE BOULEVARD

CANAJOHARIE, NY 13317

(518) 673-5512

Fax: (518) 673-5517

Ronald O. Dievendorf, Deputy Mayor  
Jena Coppernoll, Trustee

John Snyder, Trustee  
Stanley Smith, Trustee

## Fax Transmittal Form

To: RODNEY From: CEP (Conf Office)  
Date Sent: 3/12/15 Number of Pages: 3  
Phone: (334) 343-4662 Fax: (918) 366-8209  
Reference: DEMOLITION

## Message:

RECEIVED PAPERWORK AND CHECK FOR RENEWAL  
THANK YOU - COPY OF RENEWAL ENCLOSED  
ALSO STOP WORK ORDER FOR REASONS LISTED.  
ONCE YOU HAVE FROM ME AFTER I RECEIVE ALL PAPER  
WORK ON BUILDINGS THAT HAVE BEEN RENEWED - THEN YOU  
CAN START DEMO AGAIN. DO NOT LISTEN TO SPECTRUM  
ON STARTING TO DEMO AGAIN.

# Monitor Report

Date/Time: 03/12/2015 11:34 A

Fax Number : 5186735517  
Company Name : Village of Canajoharie

The documents were sent.

No.	Job#	Remote Station	Start Time	Dura.	Pages	Mode	Contents	Result
001	0160	19183668209	03/12/2015 11:33AM	1'14"	3/ 3	ECM		Done

## VILLAGE of CANAJOHARIE

Francis E. Avery, Mayor  
76 ERIE BOULEVARD  
CANAJOHARIE, NY 13317  
(518) 573-5512 Fax: (518) 573-5517

Ronald O. Diavendorf, Deputy Mayor  
Jana Coppernick, Trustee

John Snyder, Trustee  
Stanley Smith, Trustee

### Fax Transmittal Form

To: RODNEY From: OFFICE (Canajoharie)  
Date Sent: 03/12/2015 Number of Pages: 3  
Phone: (334) 343-4662 Fax: (918) 366-8209  
Reference: DEMOLITION

### Message:

RECEIVED PAPER WORK AND CHECK FOR REMOVAL  
AND THANK YOU - COPY OF REMOVAL REQUEST  
ALSO STOP WORK UNTIL FOR REASONS LISTED  
ONCE YOU HAVE PROVIDED AFTER I RECEIVE ALL PAPER  
WORK ON BUILDINGS THAT HAVE BEEN REMOVED - THEN YOU  
CAN START DEMO AGAIN. DO NOT LISTEN TO SPECTRUM  
ON STARTING TO DEMO AGAIN.

The Fax Transmit prints each time when the documents are sent or unsent. To turn off this page:

- 1.) At the printer's control panel, press "Machine Status"
- 2.) At the LCD Panel, press the "Tools" tab and then press "Admin Settings..."
- 3.) Press "Fax Settings..." and then press "Fax Reports..."
- 4.) Press "Fax Transmit" and set the setting to "Print Disable"



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/22/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> COMMERCIAL INSURANCE BROKERS, LLC 4200 E. Skelly Dr., Ste. 300  Tulsa OK 74135-3237		<b>CONTACT NAME:</b> Michelle Richie <b>PHONE (A/C No., Ext.):</b> (918) 884-2900 <b>FAX (A/C No.):</b> (918) 884-2999 <b>E-MAIL ADDRESS:</b> michelle.richie@cibllc.net	
<b>INSURED</b> B&B Recycling, LLC 105 W. Birmingham Place  Broken Arrow OK 74011		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> American Mining Insurance <b>NAIC #</b> 15911 <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	

COVERAGES CERTIFICATE NUMBER: 14/15 Certificate Excepti REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL BUEY INSR WYD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>GENERAL LIABILITY</b> <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/PROP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE  DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	WC018500072501	9/1/2014	9/1/2015	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-FR E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

TD Development, LLC  
720 Eagle View Court  
Mason, OH 45040

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

M Richie/MICHEL



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/22/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> COMMERCIAL INSURANCE BROKERS, LLC 4200 E. Skelly Dr., Ste. 300  Tulsa OK 74135-3237		<b>CONTACT NAME:</b> Michelle Richie <b>PHONE (A/C No. Ext.):</b> (918) 884-2900 <b>FAX (A/C No.):</b> (918) 884-2999 <b>E-MAIL ADDRESS:</b> michelle.richie@cibllc.net	
<b>INSURED</b> B&B Recycling, LLC 105 W. Birmingham Place  Broken Arrow OK 74011		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Mid-Continent Casualty Company <b>NAIC #</b> 23418 <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	

**COVERAGES** **CERTIFICATE NUMBER:** 2014-15 GL **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> <b>CLAIMS-MADE</b> <input checked="" type="checkbox"/> <b>OCCUR</b>			04GT000911787	9/8/2014	9/8/2015	<b>EACH OCCURRENCE</b> \$ 1,000,000 <b>DAMAGE TO RENTED PREMISES (Ea occurrence)</b> \$ 100,000 <b>MED EXP (Any one person)</b> \$ Excluded <b>PERSONAL &amp; ADV INJURY</b> \$ 1,000,000 <b>GENERAL AGGREGATE</b> \$ 2,000,000 <b>PRODUCTS - COMPROP AGG</b> \$ 2,000,000
	<b>GEN'L AGGREGATE LIMIT APPLIES PER:</b> <input checked="" type="checkbox"/> <b>POLICY</b> <input type="checkbox"/> <b>PRO-PORT</b> <input type="checkbox"/> <b>LOC</b>						
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> <b>ANY AUTO</b> <input type="checkbox"/> <b>ALL OWNED AUTOS</b> <input type="checkbox"/> <b>SCHEDULED AUTOS</b> <input type="checkbox"/> <b>HIRED AUTOS</b> <input type="checkbox"/> <b>NON-OWNED AUTOS</b>						<b>COMBINED SINGLE LIMIT (Ea accident)</b> \$ <b>BODILY INJURY (Per person)</b> \$ <b>BODILY INJURY (Per accident)</b> \$ <b>PROPERTY DAMAGE (Per accident)</b> \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> <b>OCCUR</b> <b>EXCESS LIAB</b> <input type="checkbox"/> <b>CLAIMS-MADE</b> <b>DED</b> <input type="checkbox"/> <b>RETENTION \$</b> <input type="checkbox"/>						<b>EACH OCCURRENCE</b> \$ <b>AGGREGATE</b> \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			N/A			<b>WC STATUTORY LIMITS</b> <input type="checkbox"/> <b>OTHER</b> <input type="checkbox"/> <b>E.L. EACH ACCIDENT</b> \$ <b>E.L. DISEASE - EA EMPLOYEE</b> \$ <b>E.L. DISEASE - POLICY LIMIT</b> \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
This certificate represents coverage currently in effect and may not be in compliance of any written contract; if applicable.


## CERTIFICATE HOLDER

TD Development, LLC  
720 Eagle View Court  
Mason, OH 45040

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

E Barton - 124/MICHEL 

# Village of Canajoharie

## Building Permit Renewal

Original permit.# -

3013

Name of Owner / contractor-

TODD CLIFFORD / B & B RECYCLING

Address of job

68 CHURCH ST CANAJOHARIE, NY 13317

% OF WORK TO BE FINISHED-

80% AS OF 3/12/15

RENEWAL FEE BASED ON % OF WORK TO BE FINISHED.

MINIMUM FEE \$ 20.00

X ~~CD~~ DORRAGH - N.Y.S # 0004319

Anthony M. Howland

Code enforcement officer

# Village of Canajoharie

## Building Permit Renewal

Original permit #-

3013

Name of Owner / contractor-

→ TODD CLIFFORD / B & B RECYCLING

Address of job


68 Church St Canajoharie, NY 13317

% OF WORK TO BE FINISHED-

80% AS OF 3/12/15

RENEWAL FEE BASED ON % OF WORK TO BE FINISHED.

MINIMUM FEE \$ 20.00

X  DORRAGH - N.Y.S # 0004319

Anthony M. Howland  
Code enforcement officer

# Village of Canajoharie

12 Mitchell St.

Canajoharie, NY 13317

APPLICATION NUMBER: 15

PERMIT NUMBER: \_\_\_\_\_

(City, Town, Village) of: CANAJOHARIE

Address: 66 CHURCH ST

County: MONTGOMERY

## STOP ORDER

WHEREAS, violation of the REPAIRING WORK ON ANY OF BUILDINGS THAT  
HAVE BEEN RELEASED AND; Section(s) PROPERTY NEEDS TO BE CLEANED  
UP OF PILES OF DEMOLITION DEBRIS.

\* FOR THE NEIGHBORHOOD, NO MORE DEMO - JUST CLEAN

have been found on these premises, it is hereby ordered that all persons cease, desist from and

## STOP WORK

at once pertaining to construction, alterations or repairs on these premises know as THE OLD BECHMUT  
WAREHOUSE

located at 66 CHURCH ST CANAJOHARIE, N.Y 13317 State of New York.

All persons acting contrary to this order, removing or mutilating this notice are liable to legal actions.

CR 2014-0004319

Issuing Official

3/12/15

(Date)

**~ CITATION ~**

TO: B\*B RECYCLING  
105 W BIRMINGHAM  
BROWN HILLS, NY 13460

FROM: C. D. DORRACH, Code Enforcement Officer  
Village of Canajoharie, Village Hall  
75 Erie Blvd  
Canajoharie, NY 13317

SIR:

An inspection of your premises located at 68 CHURCH STREET reveals that the following Violations of the NYS Uniform Building and Fire Code and/or Village of Canajoharie Code of Ordinances exist:

DEBRIS PILES LEFT AT DEMOLITION SITE ARE NOT ONLY  
STARTING TO BE AN EYE SORER BUT THE WIND IS NOW BLOWING  
STUFF AROUND - ON THE FENCE AND ON INTERSTATE

PLEASE TAKE NOTICE That you have until JUNE 8TH 2015 to make the following changes to bring your property into compliance with the Code:

ALL DEBRIS PILES TO BE REMOVED FROM DEMO  
SITE (EXCEPT CONCRETE BLOCK PILES) - NO OTHER DEMOLITION  
WILL TAKE PLACE TILL SAID PILES ARE REMOVED

**FAILURE** to comply with this Citation within the prescribed time will subject you to being issued an appearance ticket in Village Justice Court.

Your cooperation is appreciated.

Dated: 5/7/15

C. D. DORRACH # NYS 0004319  
VILLAGE CODE ENFORCEMENT OFFICER



June 5, 2015

VIA FACSIMILE

Clifton Dorrough  
Code Enforcement Officer  
Village of Canajoharie  
Village Hall  
75 Erie Blvd.  
Canajoharie, NY 13317

Kelly A. Gabos  
Associate  
T. 617-449-6546  
F. 617-607-9154  
kgabos@mccarter.com

Re: B&B Recycling, LLC - Citation for Debris at 68 Church St.

Dear Mr. Dorrough:

This firm represents B&B Recycling, LLC ("B&B"). I write to follow-up on the two voicemails I left for you today concerning the citation that you gave B&B on May 7, 2015, for "debris piles" left at 68 Church Street. B&B has every intention of remedying this issue, but at this time it does not have sufficient information as to what debris piles the citation refers. I would like to speak with you to obtain some additional information and guidance for B&B so that they can remove the appropriate debris piles.

In addition, because the deadline to remove the debris is this coming Monday, June 8, 2015, I would request that you give B&B an additional week to remove the debris so that it has all of the information necessary to comply with the citation.

Please contact me at your earliest convenience. Thank you very much for your attention to this matter.

Sincerely yours,

Kelly A. Gabos

cc: David A. Reif, Esq.

BOSTON

HARTFORD

STAMFORD

NEW YORK

NEWARK

EAST BRUNSWICK

PHILADELPHIA

WILMINGTON

WASHINGTON, DC

Village Agreed with the extra time and  
nothing has been done. No more playing  
ball, site needs to be cleaned up,  
10/6/15

STATE OF NEW YORK  
VILLAGE OF CANAJOHARIE JUSTICE COURT

COUNTY OF MONTGOMERY

THE PEOPLE OF THE STATE OF NEW YORK,

-against-

INFORMATION

RODNEY GARVIN  
105 West Birmingham Place  
Broken Arrow, Oklahoma 74011,

Defendant.

State of New York                   )  
County of Montgomery            ) ss:

Clifton E. Dorrough, Jr., being duly sworn, deposes and says, that he is a duly appointed Code Enforcement Officer/ Building Inspector for the Village of Canajoharie, County of Montgomery, State of New York and that on or about 11/10/2015 in the Village of Canajoharie, RODNEY GARVIN did violate New York State Executive Law section 382(2):

Any person, having been served, either personally or by registered or certified mail, with an order to remedy any condition found to exist in, on, or about any building in violation of the uniform fire prevention and building code, who shall fail to comply with such order within the time fixed by the regulations promulgated by the secretary pursuant to subdivision one of section three hundred eighty-one of this article, such time period to be stated in the order, and any owner, builder, architect, tenant, contractor, subcontractor, construction superintendent or their agents or any other person taking part or assisting in the construction of any building who shall knowingly violate any of the applicable provisions of the uniform code or any lawful order of a local government, a county or the secretary made thereunder regarding standards for construction, maintenance, or fire protection equipment and systems, shall be punishable by a fine of not more than one thousand dollars per day of violation, or imprisonment not exceeding one year, or both.

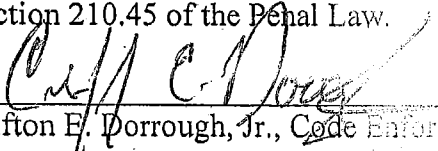
The following are facts upon which said accusation is based:

On 5/7/2015, I inspected 68 Church Street, Canajoharie, NY 13317, a property located in the Village of Canajoharie, where work was being performed by the defendant Rodney Garvin, dba B&B Recycling, as verified by my inspection of the building permit records of the Village of Canajoharie. On 5/7/2015 the subject property violated NYCRR title 19 Uniform Fire Prevention and Building Code (Property Maintenance Code) sections 201.3, 302, 302.1 and 302.5 of the Property Maintenance Code. On 10/6/2015 I served

the attached Notice of Violation and Order to Remedy on the defendant by first class and certified mail. The Notice required that the defendant remedy the violations by 11/9/15. On or about 11/21/2015 I re-inspected the subject property and the violations listed above still existed. The said defendant's actions are all contrary to the provision of the statutes in such case made and provided.

This information is based on personal knowledge, the source being my personal observation and any supporting deposition listed:

Any false statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law.

  
Clifton E. Dorrough, Jr., Code Enforcement Officer/ Building Inspector

Subscribed and sworn to before me  
This 26<sup>th</sup> day of January, 2016

  
NOTARY  
GAIL S. COPPERNOLL  
Notary Public, State of New York  
Qualified in Montgomery County  
No. 01CO5070174  
My Commission Expires Dec. 9, 2018



P. O. Box 1024  
Schenectady, NY 12301  
(518) 346-6374 (Phone)  
(518) 346-4062 (Fax)  
www.4spectrum.com

March 9, 2015

Mr. Rod Bromley  
B & B Recycling  
105 West Birmingham  
Broken Arrow, Oklahoma, 74011

RE: Beech-Nut Facility; Building 11

Dear Mr. Bromley:

Spectrum Environmental Associates, Inc. (Spectrum) is submitting this letter and attached documentation as our report for the Final Visual Inspection(s) performed on the above referenced asbestos project.

New York State Department of Labor Industrial Code Rule 56 requires a final visual inspection be performed by a New York State Certified Asbestos Project Monitor who is independent of the asbestos abatement contractor. The final visual inspection is to confirm that all asbestos identified has been removed and that the work area has been properly cleaned.

The scheduled asbestos containing materials for this project involved the removal of:

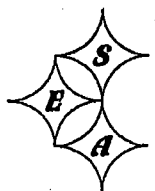
- Incidental disturbance clean up per site specific variance throughout former building 11.

On March 4, 2015, Mr. Adam Wyman (AH#07-07681) performed a project monitor final visual inspection and passed the work area. His final visual inspection form(s) is attached along with a copy of his certification and Spectrum's company license.

If you have any questions concerning this report, please contact our office at (518) 346-6374.

Respectfully Submitted,

James A. Capasso II  
Operations Manager



# SPECTRUM

Environmental Associates, Inc.

*'EXCEEDING OUR CLIENTS EXPECTATIONS OF EXCELLENCE'*

P.O. Box 1024  
Schenectady, NY 12301  
(518) 346-6374 (Phone)  
(518) 346-4062 (Fax)  
www.4spectrum.com

## ASBESTOS VISUAL INSPECTION

Project Number: 15-129 Project Monitor: Adam Wyman

Contractor: BA C&K Certification Number: 07-07651

Building Name/Address: 117 EAST MAIN ST.

Scope of Work: RECYCLING WAREHOUSE 10-8 MILLERS & 11-11 MILLERS & 104 59 FT TALL

Item	Yes	No	N/A	Comments
Floor		<input checked="" type="checkbox"/>		
Dust and/or Debris Walls		<input checked="" type="checkbox"/>		
Ceiling		<input checked="" type="checkbox"/>		
Critical Barriers		<input checked="" type="checkbox"/>		
Decontamination Unit(s)		<input checked="" type="checkbox"/>		
Ledges		<input checked="" type="checkbox"/>		
Beams		<input checked="" type="checkbox"/>		
Pipes, Joints, Etc.		<input checked="" type="checkbox"/>		
Fixed Objects		<input checked="" type="checkbox"/>		
Scheduled Material Removed	<input checked="" type="checkbox"/>			
Exposed Edges Encapsulated		<input checked="" type="checkbox"/>		
Waste Bags Inside Work Area		<input checked="" type="checkbox"/>		
Equipment Cleaned & Removed	<input checked="" type="checkbox"/>			
Pools of Liquid or Condensation		<input checked="" type="checkbox"/>		
Wait Period Observed			<input checked="" type="checkbox"/>	
Other:				

### Spectrum Environmental Associates, Inc. Declaration (check which apply)

☒ **PASSED Visual Clearance:** SEA's Representative hereby declares that he/she has accompanied the Contractor on his/her visual inspection and affirms that this inspection has been thorough and to the best of his/her belief, is true and honest.

☐ **FAILED Visual Clearance:** SEA's Representative hereby declares that the deficiency(ies) identified above need to be addressed in order to pass visual clearance.

Signature: Adam Wyman

Date: 3-9-15

Environmental Consulting & Management Services • Health & Safety Training • Laboratory Services

New York State Department of Labor  
Division of Safety and Health  
License and Certificate Unit  
State Campus, Building 12  
Albany, NY 12240

ASBESTOS HANDLING LICENSE

Spectrum Environmental Associates, Inc.

P.O. Box 1024

Schenectady, NY 12301

FILE NUMBER: 99-0129  
LICENSE NUMBER: 29084  
LICENSE CLASS: RESTRICTED  
DATE OF ISSUE: 02/19/2015  
EXPIRATION DATE: 02/29/2016

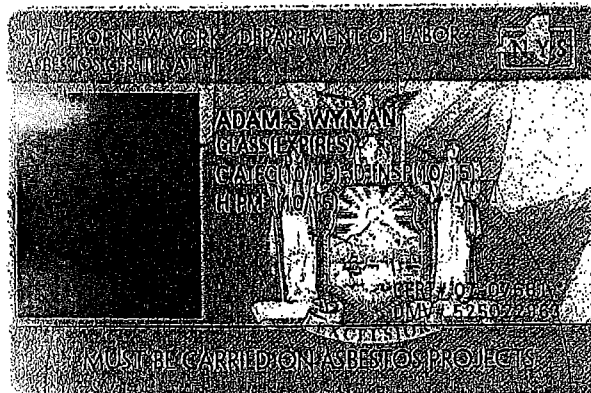
Duly Authorized Representative: William J. Massmann

This license has been issued in accordance with applicable provisions of Article 10 of the Labor Law of New York State and of the New York State Codes, Rules and Regulations, 12 NYCRR Part 50. It is subject to suspension or revocation for a (1) serious violation of state, federal or local laws with regard to the conduct of an asbestos project, or (2) demonstrated lack of responsibility in the conduct of any job involving asbestos or asbestos material.

This license is valid only for the contractor named above and this license or a photocopy must be prominently displayed at the asbestos project worksite. This license verifies that all persons employed by the licensee on an asbestos project in New York State have been issued an Asbestos Certificate, appropriate for the type of work they perform, by the New York State Department of Labor.

*Eileen M. Franko*

Eileen M. Franko, Director  
For the Commissioner of Labor



01213-000323005 90

EYES GRN  
HAIR BRO  
HGT 5' 11"

IF FOUND RETURN TO:  
NYSOL - L&C UNIT  
ROOM 161A BUILDING 12  
STATE OFFICE CAMPUS  
ALBANY NY 12240

New York State Department of Labor

Division of Safety and Health  
License and Certificate Unit  
State Campus, Building 12  
Albany, NY 12240

ASBESTOS HANDLING LICENSE

Spectrum Environmental Associates, Inc.

P.O. Box 1024

Schenectady, NY 12301

FILE NUMBER: 99-0128

LICENSE NUMBER: 29084

LICENSE CLASS: RESTRICTED

DATE OF ISSUE: 02/19/2015

EXPIRATION DATE: 02/29/2016

Duly Authorized Representative: William W. Wassmann

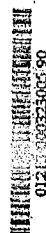
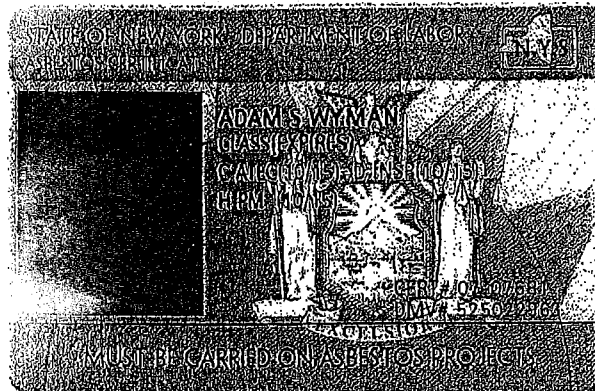
This license has been issued in accordance with the provisions of Article 30 of the Labor Law of New York State and of the New York State Codes, Rules and Regulations (22 NYCRR Part 56). It is subject to suspension or revocation for a (1) serious violation of state, federal or local laws with regard to the conduct of an asbestos project, or (2) demonstrated lack of responsibility in the conduct of any job involving asbestos or asbestos material.

This license is valid only for the contractor named above and this license or a photocopy must be prominently displayed at the asbestos project worksite. This license verifies that all persons employed by the licensee on an asbestos project in New York State have been issued an Asbestos Certificate, appropriate for the type of work they perform, by the New York State Department of Labor.

*File in* *Franko*

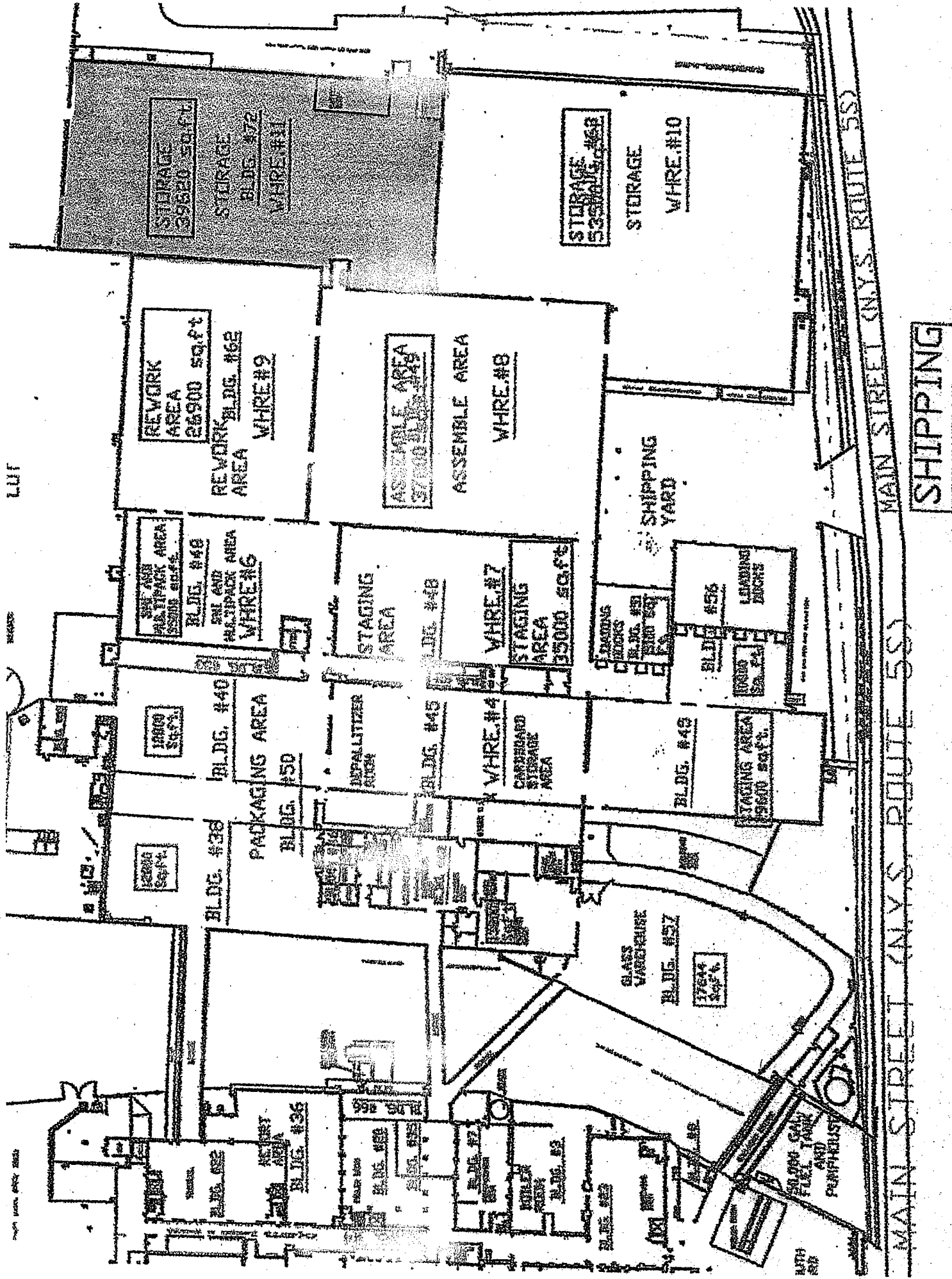
Bileen M. Franko, Director  
For the Commissioner of Labor

SH 432 (8/12)



EYES GRN  
HAIR BRO  
HGT 5' 11"

IF FOUND RETURN TO:  
NYSDEL - L&C UNIT  
ROOM 161A BUILDING 12  
STATE OFFICE CAMPUS  
ALBANY NY 12240



LUF

10000

10000

MAIN STREET (N.Y.S. ROUTE 55)

MAIN STREET (N.Y.S. ROUTE 55)

SHIPPING





P. O. Box 1024  
Schenectady, NY 12301  
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(518) 346-4062 (Fax)  
[www.4spectrum.com](http://www.4spectrum.com)

March 13, 2015

Mr. Rod Bromley  
B & B Recycling  
105 West Birmingham  
Broken Arrow, Oklahoma, 74011

RE: Beech-Nut Facility; Building 11

Dear Mr. Bromley:

Spectrum Environmental Associates, Inc. (Spectrum) has been retained by your firm to perform asbestos consulting services at the former Beech-Nut Facility located in Canajoharie, NY. The overall scope will be to identify and assess the condition of all the buildings remaining on the East side of the Canajoharie Creek which runs through the property. Based on information provided by you, Spectrum has reviewed previously prepared reports and has prepared this report as our demolition survey for Building #10 as identified on the site map provided.

Spectrum has reviewed the reports prepared by Churchill Environmental (dated 2/22/14) for the building interior and from Asbestos & Environmental Consulting Corp (dated 6/2/2014) for the building roof. TSI pipe insulation was identified throughout the warehouses which has been removed by others prior to our inspection of the building. The removal had resulted in an incidental disturbance which has been addressed under a site specific variance and was completed on March 9, 2014. With the interior clearance, it was safe to proceed with our inspection of the building to confirm all asbestos identified has been removed and to complete a demolition survey as requested.

On March 4, 2015, Spectrum visited the site and was able to perform an asbestos demolition survey in accordance with NYS ICR 56-5.1. The inspector of record was Adam Wyman (AHI#07-07681) who is a certified EPA/NYS Asbestos Inspector. He performed a visual inspection in accordance with generally accepted industry standards and found no suspect materials that were not previously identified and determined to be negative for asbestos. Roof access was not available until March 13, at which time we were able to confirm that the roof on building 10 did not have a different roofing material. Therefore, the sampling performed by AEGC showing the roof to be negative for asbestos has been confirmed.

In conclusion, Building #11 is clear of all asbestos containing materials and demolition may proceed as a non-asbestos project based on the findings of this report.

Should you have any questions concerning this report, please do not hesitate to contact our office at (518) 346-6374.



P. O. Box 1024  
Schenectady, NY 12301  
(518) 346-6374 (Phone)  
(518) 346-4062 (Fax)  
[www.4spectrum.com](http://www.4spectrum.com)

March 16, 2015

Mr. Rod Bromley  
B & B Recycling  
105 West Birmingham  
Broken Arrow, Oklahoma, 74011

RE: Beech-Nut Facility; Building 10

Dear Mr. Bromley:

Spectrum Environmental Associates, Inc. (Spectrum) has been retained by your firm to perform asbestos consulting services at the former Beech-Nut Facility located in Canajoharie, NY. The overall scope will be to identify and assess the condition of all the buildings remaining on the East side of the Canajoharie Creek which runs through the property. Based on information provided by you, Spectrum has reviewed previously prepared reports and has prepared this report as our demolition survey for Building #10 as identified on the site map provided.

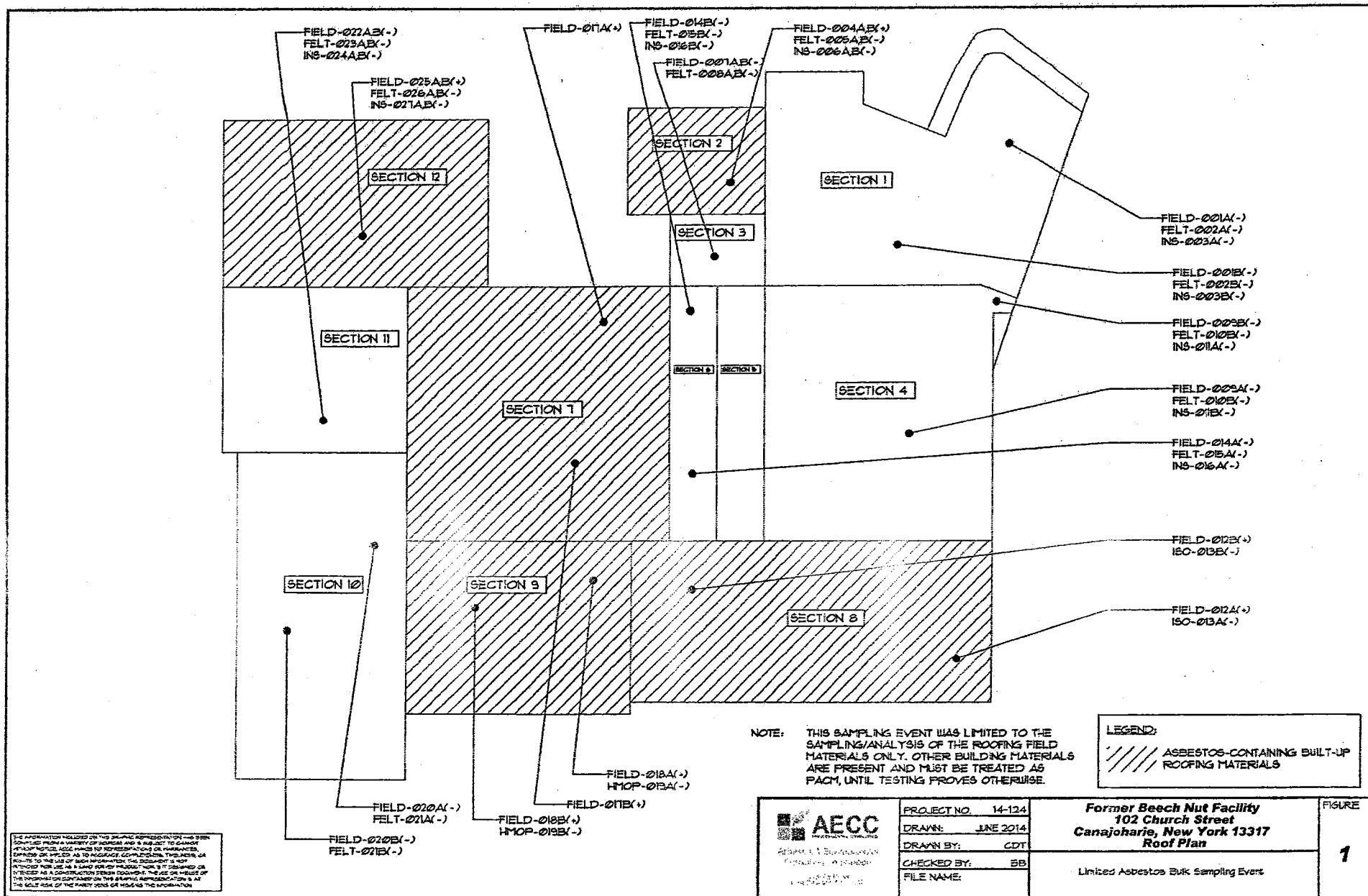
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On March 10, 2015, Spectrum visited the site and was able to perform an asbestos demolition survey in accordance with NYS ICR 56-5.1. The inspector of record was Adam Wyman (AH#07-07681) who is a certified EPA/NYS Asbestos Inspector. He performed a visual inspection in accordance with generally accepted industry standards and found no suspect materials that were not previously identified and determined to be negative for asbestos. Roof access was not available until March 13 at which time we were able to confirm that the roof on building 10 did not have a different flashing material. Therefore, the sampling performed by AECC showing the north portion of the roof to be negative for asbestos and the south portion of the roof to be asbestos containing has been confirmed.

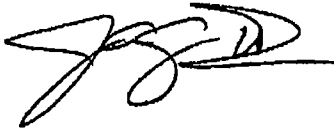
In conclusion, asbestos remains on the south portion of the Building #10 roof and needs to be abated. All other materials are considered non-asbestos containing. Demolition may proceed as once the asbestos roofing has been abated.

Should you have any questions concerning this report, please do not hesitate to contact our office at (518) 346-6374.

11/11 F 1 W 1001 11  
N

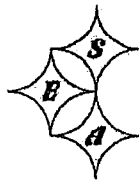


Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'JAC II', with a long horizontal flourish extending to the right.

James A. Capasso II  
*Operations Manager*

Attachments:    Location Map of Building #10  
                      Licensing and Certifications



# SPECTRUM

Environmental Associates, Inc.  
"EXCEEDING OUR CLIENTS EXPECTATIONS OF EXCELLENCE"

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Schenectady, NY 12301  
(518) 346-6374 (Phone)  
(518) 346-4062 (Fax)  
www.4spectrum.com

## ASBESTOS VISUAL INSPECTION

Project Number: 15-041 Project Monitor: DONALD TORISCHET  
Contractor: CGK Environmental Certification Number: 06 00655  
Building Name/Address: Former Bechtel Plant Building 73  
Scope of Work: Roof Penetrations & Perimeter Top Edge

Item	Yes	No	N/A	Comments
Dust and/or Debris				
Floor		<input checked="" type="checkbox"/>		"Removed Air Handlers Intact
Walls		<input checked="" type="checkbox"/>		Cut back 1 Foot Extra to
Ceiling		<input checked="" type="checkbox"/>		avoid ANY contact
Critical Barriers		<input checked="" type="checkbox"/>		with ACM" DTA
Decontamination Unit(s)		<input checked="" type="checkbox"/>		
Ledges		<input checked="" type="checkbox"/>		
Beams		<input checked="" type="checkbox"/>		
Pipes, Joints, Etc.		<input checked="" type="checkbox"/>		
Fixed Objects		<input checked="" type="checkbox"/>		
Scheduled Material Removed	<input checked="" type="checkbox"/>			
Exposed Edges Encapsulated			<input checked="" type="checkbox"/>	
Waste Bags Inside Work Area		<input checked="" type="checkbox"/>		
Equipment Cleaned & Removed	<input checked="" type="checkbox"/>			
Pools of Liquid or Condensation		<input checked="" type="checkbox"/>		
Wait Period Observed			<input checked="" type="checkbox"/>	
Other:				

### ☒ Spectrum Environmental Associates, Inc. Declaration (check which apply)

**PASSED Visual Clearance:** SEA's Representative hereby declares that he/she has accompanied the Contractor on his/her visual inspection and affirms that this inspection has been thorough and to the best of his/her belief, is true and honest.

**FAILED Visual Clearance:** SEA's Representative hereby declares that the deficiency(ies) identified above need to be addressed in order to pass visual clearance.

Signature: [Signature]

Date: 2/17/15

Environmental Consulting & Management Services • Health & Safety Training • Laboratory Services

New York State Department of Labor  
Division of Safety and Health  
License and Certificate Unit  
State Campus, Building 12  
Albany, NY 12240

ASBESTOS HANDLING LICENSE

Spectrum Environmental Associates, Inc.

P.O. Box 1024

Schenectady, NY 12301

FILE NUMBER: 82-0128

LICENSE NUMBER: 9084

LICENSE CLASS: RESTRICTED

DATE OF ISSUE: 01/29/2014

EXPIRATION DATE: 02/28/2016

Duty Authorized Representative: William J. Masmano

This license has been issued in accordance with the applicable provisions of Article 10 of the Labor Law of New York State and of the New York State Codes, Rules and Regulations (12 NYCRR Part 50). It is subject to suspension or revocation for a (1) serious violation of state, federal or local laws with regard to the conduct of an asbestos project, or (2) demonstrated lack of responsibility in the conduct of any project involving asbestos or asbestos materials.

This license is valid only for the contractor named above and this license or a photocopy must be prominently displayed at the asbestos project work site. This license verifies that all persons employed by the licensee on an asbestos project in New York State have been issued an Asbestos Certificate, appropriate for the type of work they perform, by the New York State Department of Labor.

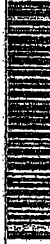
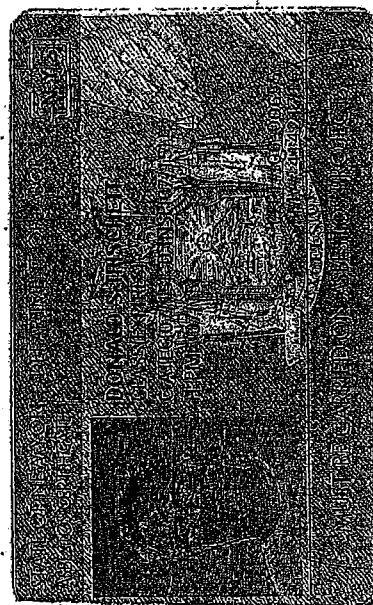
Sharon M. Franko, Acting Director  
For the Commissioner of Labor

SH 432 (8/12)

012130002924720

EYES GRN  
HAIR GRY  
HGT 5' 10"

IF FOUND RETURN TO:  
NYSOL - L&C UNIT  
ROOM 161A BUILDING 12  
STATE OFFICE CAMPUS  
ALBANY NY 12240

## Village of Canajoharie

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**From:** Glenn, Keith <Glenn.Keith@epa.gov>  
**Sent:** Friday, May 20, 2016 8:07 AM  
**To:** vocoff@albany.twcbc.com  
**Subject:** Beechnut Nutrition - EPA Activity  
**Attachments:** Beechnut Nutrition Site RSE Final 05-19-2016.pdf

Mayor Avery,

The EPA has been reviewing the Beechnut Nutrition facility for potential releases of asbestos. The Agency was notified that past demolition activities of structures left material outside, exposed to the environment, within the eastern portions of the property. Material was found to be consolidated and segregated into piles of roofing material, metal, masonry block and mix. EPA collected samples from materials in most of the piles and analyzed for asbestos. Sample results indicated the presence of asbestos in the masonry block piles, most likely associated with a white coating covering the blocks. Attached is a removal assessment evaluation report that discusses the collection methods, sample results and additional findings that have lead the EPA to determine appropriate action is needed to limit any exposure to asbestos. In order to facilitate this, EPA is in the process of contacting parties that may be familiar with the demolition operations that were previously conducted. EPA must give appropriate opportunity to allow owners/operators, both past and present, the option of conducting the appropriate actions necessary to address the asbestos-containing material found outside. Should EPA not obtain a commitment from a party willing and able to take the appropriate actions, EPA may self-perform the work and recovery costs from potentially responsible parties. I will be in touch with you in order to keep you aware of the progress of these and any additional actions relating to the mater. Should you have any questions, feel free to contact me at your convenience.

Sincerely,  
Keith Glenn



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION II  
2890 WOODBRIDGE AVENUE  
EDISON, NJ 08837

**DATE:** MAY 19 2016

**SUBJECT:** Removal Site Evaluation for the Beechnut Nutrition Site (CERCLIS #: NYD066809203), Canajoharie, Montgomery County, New York

**FROM:** Keith Glenn, On-Scene Coordinator  
Removal Action Branch

A handwritten signature in black ink, likely belonging to Keith Glenn, is positioned to the right of the "FROM:" field.

**TO:** Joseph D. Rotola, Chief  
Removal Action Branch

**I. INTRODUCTION**

The New York State Department of Environmental Protection (NYSDEC) requested the United States Environmental Protection Agency (EPA) to evaluate the Beechnut Nutrition Site (Site) for a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) removal action. A Removal Site Evaluation (RSE) was requested by NYSDEC on December 1, 2015.

Samples collected as part of the RSE indicate a release of asbestos, a CERCLA designated hazardous substance, has occurred at the Site. Based on available information, a removal action is warranted to mitigate threats to public health or welfare or the environment associated with the release of a hazardous substance.

**II. SITE CONDITIONS AND BACKGROUND**

**A. Site Description**

The Site is located at 68-102 Church Street (42°54'23.95"N, 74°34'14.88"W) in the Village of Canajoharie, Montgomery County, New York. The Site is designated as one parcel of land (Tax ID: 63.14-1-9.1) that is bisected by the Canajoharie Creek. In total, the Site covers approximately 26.9 acres of land, most of which is developed. The western portion of the Site

The Site was sold to TD Development, LLC in December 2013, who then sold it to TD Development, Inc. approximately 1 year later.

In spring 2014 demolition activities commenced on the eastern portion of the Site. Starting with Building #74, contents of value were removed and asbestos abatements were performed by third party contractors to the property owner. Demolition activities continued with Building #73 in spring 2015 followed by Building #72 in fall 2015.

### **3. Previous Work Relevant to this Removal Site Evaluation**

Numerous asbestos abatement, scrapping and recycling contractors were employed by previous and current property owners. A report dated May 18, 2014 generated by Asbestos & Environmental Consulting Corporation indicates that 18 samples were collected in Buildings 73 and 74 and analyzed for asbestos content. Samples were collected of roofing components including caulk, cement and flashing material. Asbestos was detected in 6 samples. Samples were found to contain between <0.25 and 22.2% chrysotile asbestos. Asbestos was detected in all media except built-up roofing material, a construction technique typically containing asphalt.

A report generated on February 6, 2015 by Spectrum Environmental Associates indicates 5 samples were collected from Building #73, not previously identified in the May 2014 report. Samples were collected from exterior surfacing on the building foundation and paint within an interior bathroom. Sample results indicated trace amounts, <0.25 %, of chrysotile asbestos was present in the exterior surfacing material. Asbestos was not detected in the paint located in the bathroom.

Additional reports were generated of other buildings located on the east side of the Site, which indicated the presence of asbestos-containing material (ACM) in pipe wrap, ceiling tiles, floor tiles, pipe elbows and window glaze. An extensive pre-demolition survey was completed by Ambient Environmental, Inc. on January 11, 2012 of the structures located to the west of the Canajoharie Creek. This report highlighted asbestos found in ceiling tiles, vapor barrier mastic, joint compound, paint, wall coating, window glazing, mortar, insulation and other various materials.

No previous work relevant to this RSE has been performed by other government officials. Village officials, including the Police Department, Fire Department, Department of Public Works, Code Enforcement and the Mayor's Office have visited and surveyed the Site numerous times. The New York State Department of Labor has maintained an active role in overseeing asbestos abatement and removal activities, when applicable.

### **B. Site Assessment Activities/Observations**

On December 15, 2015 EPA visited the Site and performed an exterior survey from the surrounding streets. Although several windows were noticed to be broken or missing, the structures appeared to be structurally sound. All of the buildings had intact roofing and exterior walls. Although the structures located on the west side of the Site are showing age, none of the structures were observed to be collapsed or in threat of falling.

accessible as fencing does not restrict these locations. Many exterior doors in the eastern and western sections of the Site were found to be unlocked or partially open. Gates located along Church Street were found to be void of locks.

On February 24, 2016 EPA and RST collected samples within the western and eastern portions of the Site, including materials located in the exterior piles. A total of 14 samples were collected throughout the Site; 2 western interior, 2 eastern interior, and 10 eastern exterior. The 2 locations in the western section of the facility were from a ceiling tile in the administrative offices and pipe wrap located near the retort area. The 2 interior eastern sample locations were of the material located inside one of the roll-off containers and the pipe wrap associated with the partial asbestos abatement project in Building #45, Warehouse #4. The 10 exterior samples were collected from the piles located in the eastern section of the Site. Of these, 9 were from roofing materials and 1 was from the pile of masonry blocks. All samples were analyzed for asbestos.

Results indicated a total of 4 samples positive for containing asbestos. Sample BULK06, located in an exterior pile, was found to contain chrysotile asbestos at 1.32%. This location was the sole sample collected of masonry block, which was coated with a white paint-like material. Sample BULK11, pipe insulation associated with the abandoned abatement area in Building #45, was found to contain 18.8% amosite and 6.25% chrysotile asbestos. Sample BULK12 was material collected from inside the roll-off containers suspected of holding ACM. Results indicated that this material was found to contain 36.4% chrysotile asbestos. The pipe wrap collected from the retort area, BULK14, was found to contain 3.92% chrysotile asbestos.

To assess the masonry block material further, EPA and RST revisited the Site on March 10, 2016 and collected additional samples. A total of 16 samples were collected from the masonry block piles and exterior walls. Of these, 12 samples were collected from the piles of cinderblocks and included the coating, mortar and masonry block. One sample was collected from a partially standing wall associated with former Building #72. Three other samples were collected from the northernmost exterior walls. All samples were analyzed for asbestos.

The laboratory separated each sample and analyzed the coating material independent of the mortar/cinderblock. All coating samples were found to contain asbestos. The white coating associated with the masonry blocks and exterior walls was found to contain between 1.18 and 2.48% chrysotile. Asbestos was additionally found in the mortar or wall material of sample location BULK30. The laboratory noted all asbestos-containing material was in friable condition. Asbestos was not detected in any other sample of mortar or masonry block analyzed. Analytical data tables and sample location maps are located in Attachment A.

**C. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant**

Sampling and analysis conducted at the Site has identified the presence of asbestos, a CERCLA hazardous substance as defined in Section 101 (14) of CERCLA, 42 U.S.C. § 9601(14), and is a listed hazardous substance in 40 CRF Table 302.4 of the National Oil and Hazardous Substances

- (1) **Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants [300.415(b)(2)(i)];**

There is an actual or potential exposure to human populations from a hazardous substance at the Beechnut Nutrition Site. Sample results indicate the presence of ACM at numerous locations throughout the facility. Although material located inside the structures do not present an exposure to human populations or the environment, the coating on the masonry blocks staged outside is ACM. These blocks were once walls and foundation that have now been demolished. The masonry blocks were pushed, pulled, broken and moved during the demolition activities in order to place them into piles. There is no evidence that these blocks were managed in an appropriate manner. Demolition activities have resulted in exposure and weathering of ACM. Exposed to the environment the coating material is degrading. Any disturbance of this material, such as moving, natural decay and wind events, may cause asbestos fibers to be released to the air. Exposure to asbestos found at the Site can occur through inhalation, once fibers become airborne.

- (2) **Weather conditions that may cause hazardous substances or pollutants to migrate or to be released [300.415(b)(2)(vi)];**

Sample results indicate the presence of ACM throughout the exterior eastern section of the Site, which is subject to weathering. Masonry blocks coated with asbestos-containing material are exposed to drastic weather events, including hot summers and frigid winters. Exposure to these elements may cause the coating material to degrade, crack, flake and separate from the masonry block. Weathering causes the matrix which binds the fibers together to be broken down, releasing the fibers to the environment. Once in the environment, the stable mineral fibers persist and do not readily break down further. Wind traveling across the Site may cause asbestos fibers to be entrained in the air, increasing the likelihood of being carried downwind. In addition, rain and snow events may cause ACM to be transported to sewer systems, the Canajoharie Creek, the Mohawk River or areas adjacent to the Site.

- (3) **The availability of other appropriate federal or State response mechanisms to respond to the release [300.415(b)(2)(vii)];**

EPA is the only government agency capable of taking a timely and appropriate action to respond to the threat posed by the presence of hazardous substances at the Site.

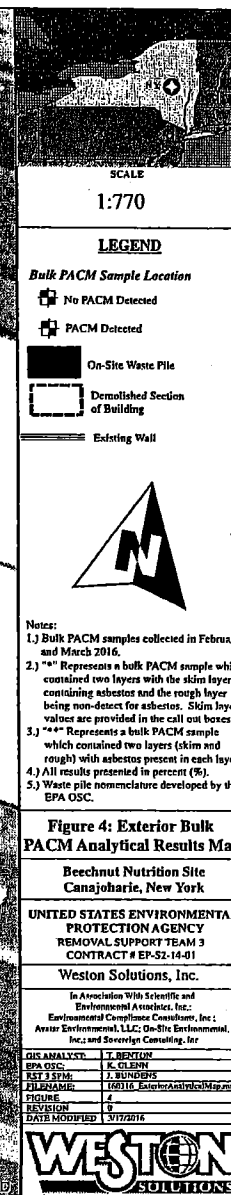
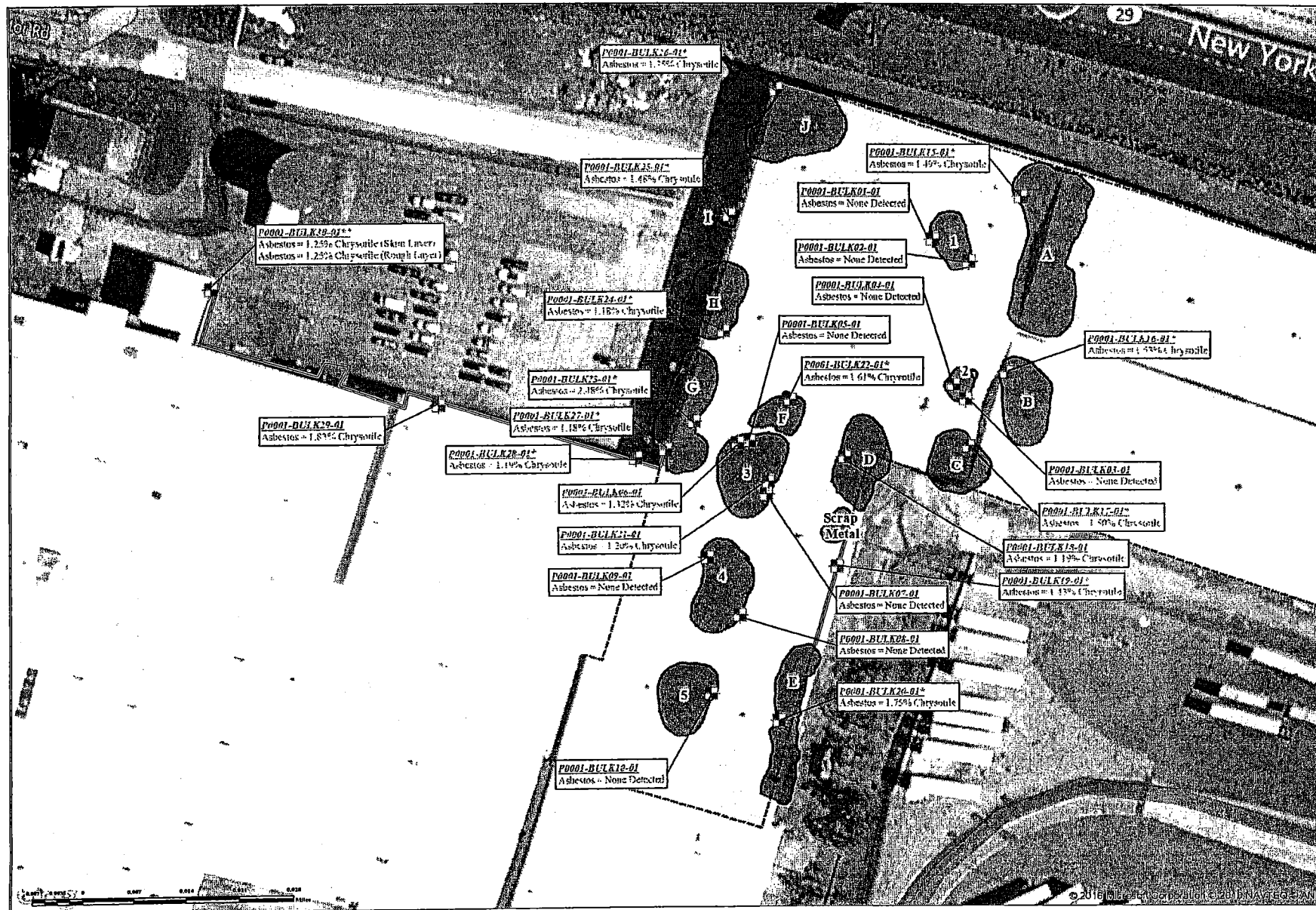
**B. Threats to the Environment**

At this time there is no documentation to indicate that the Site is currently having an acute impact to any sensitive environments or natural resources.

**REMOVAL SITE EVALUATION FOR THE  
BEECHNUT NUTRITION SITE  
CANAJOHARIE, NY  
SITE ID# A26B**

**ATTACHMENT A**

**Sample Maps and Data Summary Tables**



**Table 1: Bulk Sample Collection Information and Preliminary Results Summary**  
**Beechnut Nutrition Site - Removal Assessment**  
**February 24, 2016 and March 10, 2016**

RST Sample No.	Longitude	Latitude	Date	Time Collected	Result (%)	ACM Type	Location Description	Material Description
P0001-BULK01-01	42.90732465	-74.56696143	2/24/2016	8:56	ND		Pile 1	Fabric
P0001-BULK02-01	42.90728206	-74.56686658	2/24/2016	9:03	ND		Pile 1	Roof tile (surface layer)
P0001-BULK03-01	42.90701462	-74.56687674	2/24/2016	9:10	ND		Pile 2	Fiberboard
P0001-BULK04-01	42.90704211	-74.56690743	2/24/2016	9:15	ND		Pile 2	Roof tile (under layer)
P0001-BULK05-01	42.90693441	-74.56744651	2/24/2016	9:21	ND		Pile 3	Fabric
P0001-BULK06-01	42.90693003	-74.56747619	2/24/2016	9:25	1.32 %	Chrysotile	Pile 3	Inseparable paint/coating layer
P0001-BULK07-01	42.90683074	-74.56740029	2/24/2016	9:30	ND		Pile 3	Roof tile (under layer)
P0001-BULK08-01	42.90659599	-74.56747226	2/24/2016	9:38	ND		Pile 4	Fiberboard
P0001-BULK09-01	42.90670795	-74.56755688	2/24/2016	9:42	ND		Pile 4	Fiberboard
P0001-BULK10-01	42.90644114	-74.56754748	2/24/2016	9:48	ND		Pile 5	Roof tile (surface and under layer)
P0001-BULK11-01	42.906388	-74.569243	2/24/2016	10:30	25.05 %	18.80% Amosite 6.25% Chrysotile	Building #45	Pipe Insulation
P0001-BULK12-01	42.906199	-74.569579	2/24/2016	10:45	36.4 %	Chrysotile	South Loading Dock / Roll-off RT5153	Pipe Insulation
P0001-BULK13-01	42.906931	-74.571252	2/24/2016	11:15	ND		Building #21	Ceiling Tile
P0001-BULK14-01	42.907043	-74.570295	2/24/2016	11:35	3.92 %	Chrysotile	Building #22	Inseparable paint/coating layer
P0001-BULK15-01	42.90740654	-74.56673195	3/10/2016	13:10	1.49 %	Chrysotile	Pile A	Skim layer
					ND			Rough layer
P0001-BULK16-01	42.907066	-74.56676955	3/10/2016	13:35	1.53 %	Chrysotile	Pile B	Skim layer
					ND			Rough layer
P0001-BULK17-01	42.9069245	-74.56686715	3/10/2016	13:45	1.5 %	Chrysotile	Pile C	Skim layer
					ND			Rough layer
P0001-BULK18-01	42.90690329	-74.5671929	3/10/2016	14:00	1.19 %	Chrysotile	Pile D	Inseparable paint/coating layer
P0001-BULK19-01	42.9066909	-74.56721373	3/10/2016	14:05	1.43 %	Chrysotile	Wall A	Skim layer
					ND			Rough layer
P0001-BULK20-01	42.90638898	-74.56736838	3/10/2016	14:10	1.75 %	Chrysotile	Pile E	Skim layer
					ND			Grey rough Layer
					ND			Black rough layer
P0001-BULK21-01	42.90685484	-74.56739498	3/10/2016	14:20	1.2 %	Chrysotile	Pile 3	Inseparable paint/coating layer
P0001-BULK22-01	42.90701309	-74.56733797	3/10/2016	14:30	1.61 %	Chrysotile	Pile F	Skim layer
					ND			Rough layer
P0001-BULK23-01	42.9069715	-74.56759186	3/10/2016	14:40	2.48 %	Chrysotile	Pile G	Skim layer
					ND			Rough layer
P0001-BULK24-01	42.90714622	-74.56751503	3/10/2016	14:46	1.18 %	Chrysotile	Pile H	Skim layer
					ND			Rough layer
P0001-BULK25-01	42.9073695	-74.56749925	3/10/2016	15:00	1.48 %	Chrysotile	Pile I	Skim layer
					ND			Rough layer
P0001-BULK26-01	42.90760767	-74.56737421	3/10/2016	15:02	1.75 %	Chrysotile	Pile J	Skim layer
					ND			Rough layer
P0001-BULK27-01	42.90691807	-74.567667	3/10/2016	15:05	1.18 %	Chrysotile	Wall B	Skim layer
					ND			Rough layer
P0001-BULK28-01	42.9069011	-74.56774479	3/10/2016	15:10	1.19 %	Chrysotile	Wall C	Skim layer
					ND			Rough layer
P0001-BULK29-01	42.9070051	-74.56825602	3/10/2016	15:15	1.83 %	Chrysotile	Wall C	Heterogeneous wall material
P0001-BULK30-01	42.90723289	-74.56883803	3/10/2016	15:20	1.25 %	Chrysotile	Wall D	Skim layer
					1.25 %			Rough layer

**Notes:**

ND = non-detect

ACM = asbestos-containing material

% = percent

Skim layer refers to the white coating material on the surface of the sample material.

Rough layer refers to the under layer material of the same sample.